

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

D.B. Habeas Corpus Petition No. 124/2026

Chetan Sargara S/o Jagdish, Aged About 25 Years, R/o
Brahmanoka Baas, Village Nandwaan District Jodhpur (Raj.).

-----Petitioner

Versus

1. The State Of Rajasthan, Through Home Secretary Ministry
Home Affairs, Government Of Rajasthan, Jaipur.
2. Commissioner Of Police, Jodhpur (Raj.).
3. Station House Officer, Police Station Vivekvihar, Jodhpur
(Raj.).
4. Mag Singh, R/o Tehsil Rohat, District Pali (Raj.).
5. Annu Kanwar W/o Mag Singh, R/o Tehsil Rohat, District
Pali (Raj.).

-----Respondents

For Petitioner(s)	:	Mr. Rajendra Kachhwaha
For Respondent(s)	:	Mr. Deepak Choudhary, GA-cum-AAG with Mr. K.S. Kumpawat Mr. Manohar Singh for respondent No.4 Mr. Padampal Singh, C.I, I.O, P.S. Rohat, Pali.

**HON'BLE MR. JUSTICE VINIT KUMAR MATHUR
HON'BLE MR. JUSTICE CHANDRA SHEKHAR SHARMA**

Order

25/03/2026

1. Heard learned counsel for the parties.
2. The present habeas corpus petition has been filed by the
petitioner stating that the corpus Mst. 'M' is in the illegal detention
of respondent Nos.4 and 5 despite the fact that she has
solemnized marriage with the petitioner.
3. In pursuance of the directions issued by this Court, the
corpus Mst. 'M' has been produced before us. We have conferred

with the corpus. She has stated that she is 25 years of age and had studies upto 10th standard. She understands her well-being quite well. She has stated that she has solemnized marriage with the petitioner and wants to go and live with him. She has submitted that although she is in the illegal detention of respondent Nos.4 and 5, but being her parents they are not allowing her to go and live with the petitioner.

4. We have considered the submissions made before us.

5. Since Mst. 'M' is a major educated lady of 25 years, she is free to go and live with a person and at the place of her own choice.

6. In view of the statements made before us, the present habeas corpus petition is disposed of with the directions to the investigating agency to handover the custody of the corpus to the petitioner. The investigating agency is directed to provide adequate security to the corpus till she reaches the place where she wants to go.

(CHANDRA SHEKHAR SHARMA),J

(VINIT KUMAR MATHUR),J