

Gujarat High Court

State vs Mr Kartik Pandya on 10 October, 2011

Author: D.H.Waghela, Honourable J.C.Upadhyaya,
Gujarat High Court Case Information System

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SCR.A/2418/2011 2/ 2 ORDER

IN
THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL
CRIMINAL APPLICATION No. 2418 of 2011

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NAROTTAMDAS
MAYARAM SADHU

Versus

STATE
OF GUJARAT AND OTHERS

=====

Appearance

:

MR
AJAY L PANDAV for Applicant.
MR KARTIK PANDYA, APP for
Respondents.

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CORAM

:

HONOURABLE

MR.JUSTICE D.H.WAGHELA

and

HONOURABLE

MR.JUSTICE J.C.UPADHYAYA

Date
: 10/10/2011

ORAL
ORDER

(Per : HONOURABLE MR.JUSTICE D.H.WAGHELA)

1. After serious alleged offences having been committed and complaints and representations being made, the petitioner has approached this Court for a writ of habeas corpus for production of his two married daughters and one unmarried minor daughter, even as the married daughters were alleged to have been abducted with their young children. After issuance of Rule on 19.9.2011, it was pleaded before this Court by the State that the local police officers were unable to trace the respondents concerned, who were alleged to have taken away the daughters of the petitioner and their children. Therefore, it was requested that the Local Crime Branch may be directed to take over the task of investigating into the matter in which serious cognizable offences prima facie appeared to have been

committed. Thereafter, today, the same police officers, who were present on the last occasion, who had requested for transfer of investigation to the Local Crime Branch, have produced three daughters of the petitioner along with their children. It is also reported, on instructions, by learned APP that appropriate investigation into the alleged offences shall now be expeditiously carried out and appropriate report shall be submitted to the Court concerned for prosecution and trial.

2. In the meantime, daughters of the petitioner have expressed their willingness to return to the house of the petitioner, who is personally present in the Court. Under the circumstances, learned counsel for the petitioner submitted that the petitioner will take his daughters to his own house but due to his apprehensions about safety and security of his daughters, the police officers who are present in the Court, may be directed to see that the petitioner and his daughters are safely returned to their residence. It was conceded that nothing further was required to be done as far as the present petition is concerned. Accordingly, the petition is disposed and Rule is discharged, recording the statement of learned APP that the petitioner and his daughters shall be provided adequate protection and shall be escorted to their residence. In view of the facts of the case narrated before this Court, orally and in the petition, it would be appropriate that the District Superintendent of Police concerned would take necessary measures for security of the petitioner, his married daughters and their husbands, so as to prevent recurrence of such events and tampering with any evidence.

3. A copy of this order shall be immediately given to learned APP.

(D.H.Waghela, J.) (J.C.Upadhyaya, J.) *malek Top