

**WWW.LIVELAW.IN** WP-10131-2021  
**The High Court Of Madhya Pradesh**  
**WP-10131-2021**  
*(VEER SINGH KUSHWAH Vs THE STATE OF MADHYA PRADESH AND OTHERS)*

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**Gwalior, Dated : 24-06-2021**

**Heard through Video Conferencing.**

Shri Vibhore Kumar Sahu, learned counsel for the petitioner.

Shri A.K. Nirankari, learned PP for the respondent/State.

Present petition is filed for issuance of writ of habeas corpus on the foundational alleged facts that the corpus abandoned her parental home some time in December, 2020 being piqued by the father of the corpus subjecting her to physical and mental cruelty and thereafter started maintaining live-in relationship with the petitioner.

The corpus was produced before the Court and had been heard through video conferencing. The corpus reveals that her date of birth is 06.05.2003 and she had left her parental home due to mental and physical cruelty inflicted by her father and she wants to reside with the petitioner in live-in relationship.

The parents of the corpus were also heard through video conferencing. Father of the corpus has denied the allegation of mental and physical cruelty on the corpus has made.

Indisputably, the corpus is presently major w.e.f. 06.05.2021 and has also expressed that she is residing and wants to reside with the petitioner in live-in relationship. This Court cannot come between the will and wish of the corpus being now major. The corpus further reveals that she has not been held in unlawful confinement or restraint by anyone.

Presently the corpus is lodged at One Stop Center, Morena and, therefore, she be released from the said Center and be allowed to go and reside wherever she wishes to.

Looking to the statements made by the corpus as well as by her father that she has left school after completing 8th class, it would be appropriate

that a direction be given to the petitioner that he should ensure that the corpus pursues her academic career not only till 12th class but also upto graduate level so that she is able to become self-reliant.

Shri Vibhore Kumar Sahu, Advocate on behalf of petitioner undertakes that the petitioner shall submit a written undertaking in this regard which shall be filed before the Registry within one week from today. In the undertaking the petitioner shall make sure that he shall take care not only of the basic necessities but also of comforts of corpus to enable to live a life of dignity.

To ensure proper execution of aforesaid directions in regard to corpus, Legal Aid Officer at Gwalior Bench is directed to appoint a woman Para Legal Volunteer who shall cause weekly visits at the place of residence of corpus and submit monthly report that the undertaking submitted by the petitioner is being honoured.

Principal Registrar is directed to communicate copy of this order to Legal Aid Officer, Gwalior for information and compliance.

In case the monthly report of the PLV is found amiss, the Registry is directed to list this case as PUD before the appropriate bench under the caption "Direction".

The present petition stands disposed of with the above terms.

**(SHEEL NAGU)**  
**JUDGE**

**(ANAND PATHAK)**  
**JUDGE**

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