

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/SPECIAL CRIMINAL APPLICATION (HABEAS CORPUS) NO.
1099 of 2026**

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BHANGI ANILBHAI GOVABHAI
Versus
STATE OF GUJARAT & ORS.

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Appearance:

J G THAKOR(7376) for the Applicant(s) No. 1
MR. SHIVAM R JOSHI(16350) for the Applicant(s) No. 1
MR P P MAJMUDAR(5284) for the Respondent(s) No. 5,6,7,8,9
MR. MUSHIRALI H. SAIYED(18532) for the Respondent(s) No.
5,6,7,8,9
NOTICE SERVED for the Respondent(s) No. 2,3
NOTICE UNSERVED for the Respondent(s) No. 4
MS. MONALI BHATT, ADDL. PUBLIC PROSECUTOR for the
Respondent(s) No. 1

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CORAM: **HONOURABLE MR.JUSTICE N.S.SANJAY GOWDA**
and
HONOURABLE MR.JUSTICE D. M. VYAS

Date : 16/02/2026

**ORAL ORDER
(PER : HONOURABLE MR.JUSTICE N.S.SANJAY GOWDA)**

1. Bhang Anilbhai Govabhai, has filed this petition contending that his daughter, [REDACTED], has been illegally confined by respondent Nos. 4 to 9. Notice of this petition was ordered and the State was directed to trace and secure the corpus. It was highlighted to the State that the corpus was 16 years and, therefore, it was imperative that they secure the corpus. The State has ultimately secured the corpus and has presented her before us.

2. The corpus, [REDACTED], states that she will

be turning 17 in two days time and that she had voluntarily left the house since she was being tortured by her parents to get married to a person with whom she was not inclined to get marry. She submits that the respondent Nos.4 to 9 had not abducted her. She, in fact, states that she wants to get married to [REDACTED], i.e., respondent No.4 and since she is 17, she would wait for a year until she attains marriageable age. She also states that [REDACTED] is not yet of marriageable age and that both of them will marry after they attain the marriageable age..

3. The mother of the corpus, Kamini, is present before us and we have permitted the mother and the daughter to interact. Even, after a long deliberation, both of them are unable to reconcile their differences. The corpus, [REDACTED] is firm in her view that she will not go with her parents. She submits that she may be permitted to stay with Kiranbhai or, if that is not permissible, she be permitted to stay in the Nari Kendra until she turns 18.

4. Since, the corpus, who will turn 17 in two days time, is unwilling to join her mother, we have no other option but to permit her to stay at the Children Home, Mehsana. The request of the corpus that she will be permitted to stay with Kiranbhai cannot be accepted since Kiranbhai is not in any way related to the corpus or her family. We, therefore, direct the Children Home, Mehsana to take custody of the corpus, [REDACTED], until she turns 18. The Children Home, Mehsana, shall release her after she turns 18.

5. It is also forthcoming that an FIR is registered based on the complaint lodged by the father of the corpus. For this purpose, the police are permitted to take the corpus to get her statement recorded before the Magistrate under Section 183 of BNSS.

6. The writ petition is accordingly ***closed***.

(N.S.SANJAY GOWDA,J)

(D. M. VYAS, J)

YASH ARORA