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WP-3646-2026

IN THE HIGH COURT OF MADHYA PRADESH
AT GWALIOR

BEFORE

HON'BLE SHRI JUSTICE ANAND PATHAK

&

HON'BLE SHRI JUSTICE HIRDESH

ON THE 3rd OF FEBRUARY, 2026WRIT PETITION No. 3646 of 2026*ASHOK PRAJAPATI**Versus**THE STATE OF MADHYA PRADESH AND OTHERS*

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Appearance:

Shri Ashwini Sharma - Advocate for petitioner.

Shri D.S. Kushwaha-AAG for respondents/State.

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ORDER

Per. Justice Anand Pathak

1. Today, corpus is produced before this Court by Sub Inspector Sanjay Sharma, Head Constable Rajkumar (1842), Lady Constable Ms. Megha Sharma from Police Station Dabra, District Gwalior (M.P.). Father of corpus accompanied corpus.

2. Petitioner Ashok Prajapati (husband of corpus) is also present in person.

3. The instant petition is in the nature of *habeas corpus*.

4. Corpus is a person with disability (hearing and speech impairment). She is wife of petitioner. As per allegations, she was in illegal confinement of respondent No.4-Sonu Pal. Hence, this petition was preferred.

5. On 2/2/2026, corpus was produced before this Court by police but since petitioner was not present, therefore, matter was posted today.



6. Today, petitioner (husband of corpus) appeared before this Court and when this Court raised specific query from petitioner about his intention, then he fairly submits that he is ready to accept corpus in family fold.

7. This Court raised specific query from corpus about her intention and this thought was conveyed to corpus by Sign Language Expert - Shri Harimohan Singh Baghel from Shaskiya Drishti Evam Shravan Badhyata Uchcharat Madhyamik Vidyalay, Hurawali, District Gwalior. He interacted with corpus through sign language and informed this Court that corpus is ready to live with her husband (present petitioner). She wants to live in domestic fold.

8. Considering the submissions made and intention of parties, especially that of the corpus, nothing remains to be decided. The instant petition outlived its purpose.

9. However, Ms. Megha Sharma Lady Constable, Police Station Dabra, District Gwalior who is present in Court is directed to perform duties of "Shourya Didi" vis-à-vis present corpus so that she can interact with her regularly and ensure that she resides peacefully in her domestic house.

10. The concept of "Shourya Didi" has been discussed in detail in case of Harchand Gurjar Vs. The State of M.P. & Ors., ILR 2024 MP 2547 by the Division Bench of this Court. Relevant discussion about "Shourya Didi" is reproduced for ready reference as under:-

"5. This is a case where corpus is recovered by police from the perpetrators of crime and she is willing to go back to her maternal home with her parents. On surface, things look normal,



but underneath such incident leaves dejection, despondency and depression into the psyche of a girl who is hardly exposed to the frailties of human nature. Most of the times, she suffers from mental and emotional trauma because of nature of incident. Victims of sexual offences or sometimes girl left her maternal home for marriage or being annoyed by parents or Child in Need of Care and Protection are some of the instances where these children need not only the protection but some affirmative actions like Encouragement, Guidance or Mentoring for their future course of life.

6. Who will do this mentoring or guidance, is the question. Sometimes parents are illiterate. Sometimes they are busy in earning both the meals for the day and sometimes they are so shocked with the incident that they cannot handle such situation. Then, girl faces the wrath of adverse time.

7. Either parents force her to close her studies or try to marry her and shift the responsibility. Sometimes they reprimand or scold the child in such fashion that child again leaves the home and falls into the trap of perpetrators waiting for such eventuality.

8. One more aspect deserves attention is Stockholm Syndrome. In such mental situation, out of fear or anxiety or mental disposition, she falls in love with her own perpetrator or empathizes with him and surrenders herself to him. Even a Child in Need of Care and Protection may also undergo any one of such



eventualities, therefore, it appears that parents sometimes are inadequately equipped to handle such situation as well as the child.

9. Then another question arises is if not parents, then who can take the responsibility. In this condition, it appears that Society/State have to come forward for such purpose. According to this Court, Shaurya Didi is one such concept which if implemented effectively, then it can bring change in the lives of many. Shaurya Didi would be a female Sub Inspector or Constable or she may be a fit person as per Juvenile Justice Act or may be a female staff of Women and Child Development Department living in the vicinity of child/victim. They can mentor, guide and encourage the victim to come into main stream and to encourage her to engage in creative pursuits. This way child would be encouraged to study or to engage in vocational course so as to stand on her own in future. Later on, she herself may become a good volunteer as Shaurya Didi to perform this pious work.

10. This is a concept which requires evolution by the policy makers to address the plight of victims of sexual offences as well as Child in Need of Care and Protection and at times for Child in Conflict with Law also. Concerned departments may think over framing Statutes/Rules/Guidelines in detail in this regard."

11. Ms. Megha Sharma, Lady Constable, Police Station Dabra, District Gwalior shall take care of corpus for next six month about her mental and



emotional well-being so that she may lead a normal life. She shall also take some time once in a month or so for next six months to act as “Shourya Didi” for the corpus so that she can counsel her to become an independent and self-reliant individual.

12. With the aforesaid directions, the instant petition stands **disposed** of.

13. Corpus is set free. She may move from Court premises along with petitioner.

(ANAND PATHAK)
JUDGE

(HIRDESH)
JUDGE

(Dubey)