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WP-19813-2025

IN THE HIGH COURT OF MADHYA PRADESH  
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE SANJEEV SACHDEVA,  
CHIEF JUSTICE

&amp;

HON'BLE SHRI JUSTICE VINAY SARAF

ON THE 23<sup>rd</sup> OF JULY, 2025

WRIT PETITION No. 19813 of 2025

*KALURAM*

*Versus*

*STATE OF MADHYA PRADESH AND OTHERS*

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Appearance:

*Shri Jaydeep Kourav - Advocate for petitioner.*

*Shri Swapnil Ganguli - Deputy Advocate General for  
respondents/State.*

*Shri Gaurav Maheshwari - Advocate for respondent No.5.*  
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ORDER

*Per. Hon'ble Shri Justice Sanjeev Sachdeva, Chief Justice*

A letter was received addressed to the Chief Justice dated 23.05.2025 by Mr. Kaluram contending that his daughter was missing. The letter was treated as habeas corpus petition and direction was issued to the State on 30.05.2025 to trace out the corpus. The corpus was produced on 05.06.2025 and she has stated that she did not wish to go to Child Welfare Committee (CWC) and wanted to stay with her Fufa i.e. husband of the sister of her father. This Court directed verification of the social and family background of the Fufa. Pending enquiry, corpus was sent to Child Welfare Committee.



Subsequently, on 16.06.2025, corpus was once again produced and Fufa was also present in the Court.

This Court interacted with the corpus who appeared to be a mature understanding. She had stated that her father i.e. petitioner had got her marriage at the age of 12 years, however, her husband had passed away and father was insisting to perform second marriage of the corpus. She stated that she was staying with her Fufa and Bua and wanted to stay with them. She stated that she did not wish to stay with the Child Welfare Committee or at Children Welfare Home. The Fufa was present in the Court and he undertook that he would take care of the corpus and ensure her well being. He also undertook that he shall take care of the corpus and also ensured that she will not be married till she attains the marriageable age. Fufa i.e. Badrilal Kharol has also filed an affidavit in this Court in the above terms on 11.07.2025.

This Court permitted the corpus to stay with her Fufa. However, directed the Child Welfare Officer having jurisdiction over Alot, District - Ratlam to carry out periodic surprise visits to the house of Fufa to ensure the well being of the corpus.

The detailed report of visits of Child Welfare Officer has been filed. The Child Welfare Officer conducted surprise visits at the house of the Fufa on 19.09.2025, 24.06.2025, 27.06.2025, 01.07.2025 and 06.07.2025. The Child Welfare Officer has reported that he found the corpus as well as Fufa and other family in a very cordial atmosphere and child was very comfortable. He found that the child was being well taken care by her Fufa and his wife and she was being treated as a family member.



The petitioner who is present in the Court, states that he has no objection to the child continuous reside with her Bua and Fufa and he however states that he be permitted to visit the child as and when he desires.

The Fufa who present in the Court assures that he has no objection to the petitioner visiting the child, whenever he so desires.

Though the Bua and Fufa are not natural guardian of corpus, however, since the child is of mature understanding and of her own free will, is residing with her Bua and Fufa for taking good care of her, we closed the proceedings recording that the corpus is not in any wrongful confinement and living with her Bua and Fufa with the consent of the petitioner and family members.

Proceedings are accordingly, closed.

**(SANJEEV SACHDEVA)**  
**CHIEF JUSTICE**

**(VINAY SARAF)**  
**JUDGE**

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