

Court No. - 81

Case :- HABEAS CORPUS WRIT PETITION No. - 568 of 2023

Petitioner :- Neha Minor And Another

Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Vipin Chandra Pandey, Satyendra Singh

Counsel for Respondent :- G.A.

Hon'ble Mrs. Jyotsna Sharma, J.

1. Heard Sri Satyendra Singh, learned counsel for the petitioners and learned A.G.A. for the State.
2. This habeas corpus petition has been filed by petitioner no.2 on behalf of his minor daughter. Admittedly, in this case, an F.I.R. crime no. 40 of 2023 under sections 363, 366 I.P.C., was lodged naming respondent no.4 as having abducted minor daughter of the first informant. As per instructions received by the learned A.G.A., she has been recovered and was produced before the C.W.C. and by an order dated 08.12.2023, she has been handed over under the care and protection of her father. She was found below 18 years of age.
3. The corpus- petitioner no.1 is present in person before this Court. She verified the fact that she has been handed over to her father by the orders of the C.W.C. She didn't express her willingness to leave her parents house.
4. As during the pendency of this petition, the corpus has been released in custody of petitioner no.2 therefore, no reason remains for keeping this habeas corpus petition pending or to proceed further. It may be noted that the corpus has been given under custody and care of her father by order of the C.W.C., and therefore, no cause of action survives.
5. Accordingly, this habeas corpus petition is **dismissed**.

Order Date :- 13.12.2023

Sumit Kumar