

Court No. - 81

Case :- HABEAS CORPUS WRIT PETITION No. - 834 of 2023

Petitioner :- Km. Hemal And Another

Respondent :- State Of U.P. And 6 Others

Counsel for Petitioner :- R.K. Mishra

Counsel for Respondent :- G.A.,Arvind Kumar Dixit

Hon'ble Mrs. Jyotsna Sharma,J.

1. Heard Sri R.K. Mishra, learned counsel for the petitioners, Sri Arvind Kumar Dixit, learned counsel for the respondent and learned A.G.A. for the State-respondents.

2. This habeas corpus petition has been filed by the petitioner seeking following relief.

"To issue, a writ, order or direction in the nature of Habeas Corpus directing the respondents to produce the corpus from illegal custody of respondent nos. 5, 6 and 7 forthwith before this Hon'ble court and set her at liberty and release the corpus in favour of her parents/petitioner no.2 and or her own sweet will. "

3. The corpus Km. Hemal along with opposite party no.5- Satyam Gupta s/o Dharmendra Kumar, is present in person before this Court and Smt. Geeta, wife of Shree Chand identified by the counsel for the petitioners, is also present in person before this Court.

4. The corpus stated before this Court in presence of her mother that she is not under any undue influence, duress or restraint and has not been illegally detained by any of the opposite parties.

5. It is pointed out that earlier, Case Crime No. 358 of 2023 under sections 366, 120-B I.P.C was lodged against respondent nos. 5, 6 and 7. The F.I.R. stands quashed by order of the High Court passed in Criminal Misc. Writ Petition No. 15328 of 2023 (Smt. Hemal and 3 Others Vs. State of U.P. and 2 Others). The copy of the order dated 16.10.2023 is taken on record.

6. In view of the statement given by her, I find no substance in this petition and therefore, this habeas corpus petition is hereby **dismissed**.

Order Date :- 6.12.2023

Sumit Kumar