

Court No. - 82

Case :- HABEAS CORPUS WRIT PETITION No. - 903 of 2023

Petitioner :- Smt. Farheen Jahan And Another

Respondent :- State Of U.P. And 7 Others

Counsel for Petitioner :- Prakash Tripathi

Counsel for Respondent :- G.A.,Gaurav Kumar,Pankaj Kumar Mishra

Hon'ble Surendra Singh-I,J.

1. Sri Prakash Tripathi, learned counsel for the petitioners and Sri Gaurav Kumar, learned counsel for respondent no.6 to 8 are present.

2. In compliance of the order dated 30.10.2023, corpus Smt. Farheen Jahan w/o Mohd. Qasid has been produced before this Court today by Sub Inspector Sri Mahendra Sharma, (PNO No. 8273059611), Women Constable Ms. Vinti (PNO No. 212402021) and Constable Sri Vinay Kumar (PNO No. 212400214) and has been duly identified by them. The petitioner no. 2 Mohd. Qasid is also present in person before this Court.

3. On query being made by this Court, corpus Smt. Farheen Jahan states that as per High School Certificate, her date of birth is 10.7.2001 and she is major and had performed marriage/Nikah on 11.10.2022 with petitioner no. 2 Mohd. Qasid. She further states that respondent no.6 her father has forcibly detained her in his custody against her wishes. She wants to live with petitioner no.2 husband who is presently residing at Akoundha, Police Station-Chandpur, District- Bijnor.

4. In view of the above and keeping in mind the fact that the petitioner No. 1 is major and wants to live alongwith the petitioner no.2. Thus, she is at liberty to live with petitioner no.2. She would be escorted by aforesaid police personnel in safety where the petitioner no.2 resides at Akoundha, Police Station-Chandpur, District-Bijnor.

5. The Superintendent of Police, Bijnor is directed to ensure adequate safety and security of the petitioner no.1 (corpus).

6. Accordingly, the present petition stands allowed.

7. Let this order be communicated to the Superintendent of Police, Bijnor by Registrar (Compliance) forthwith.

8. Office is directed to issue a certified copy of this order today itself.

Order Date :- 29.11.2023/Akbar