

Court No. - 82

Case :- HABEAS CORPUS WRIT PETITION No. - 953 of 2023

Petitioner :- Smt. Diksha Singh And Another

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Rajesh Yadav, Santosh Kumar Yadav

Counsel for Respondent :- G.A., Brahm Prakash
Mishra, Vyomesh Kumar Srivastava

Hon'ble Ms. Nand Prabha Shukla, J.

Heard learned counsel for the petitioners, learned counsel for opposite party No. 4 and learned A.G.A. for the State.

In compliance of the order dated 09.11.2023, the corpus Smt. Diksha Singh (petitioner No. 1) accompanied by Sub-Inspector Manna Singh Kushwaha (P.N.O.- 960650606) and a lady Constable Sarita Kumari (P.N.O.- 212030387) is present before this Court.

In the instant matter, petitioner No. 2 has sought the custody of the corpus Smt. Diksha Singh on the basis of the marriage certificate registered on 22.07.2023 (annexure No. 2) claiming her as his wife.

During the course of hearing, the corpus in the open Court categorically denied to join the petitioner No. 2 and expressed her willingness to live in the family of her father.

As the corpus appeared to be emotionally disturbed, the matter was taken post lunch. In the meantime, during the interaction with the corpus in the chamber in presence of Mr. Narendra Singh, Additional Government Advocate, the corpus again expressed that she wants to stay in the family of her father. When the matter was taken up post lunch, the corpus again repeated that she wants to stay in the family of her father.

In view of the fact that the corpus is major and has expressed her willingness to stay with the family of her father. Therefore, there is no illegal detention of the corpus.

No interference is required. The writ petition is dismissed.

Hence, the writ petition is **dismissed**.

Sub-Inspector Manna Singh Kushwaha (P.N.O.- 960650606) and a lady Constable Sarita Kumari (P.N.O.- 212030387) shall ensure that the corpus is sent back safely in the family of her father.

Order Date :- 1.12.2023

Shivani