

Court No. - 32

Case :- WRIT - C No. - 40043 of 2023

Petitioner :- Mamta @ Manoj

Respondent :- State Of U.P. And 5 Others

Counsel for Petitioner :- Munesh Kumar

Counsel for Respondent :- C.S.C.

Hon'ble Salil Kumar Rai,J.

Hon'ble Surendra Singh-I,J.

Heard the counsel for the petitioner.

The present petition has been filed for the following prayer :-

"(i) Issue a writ, order or direction in the nature of mandamus directing the Respondent Nos. 2 to 6 to produce the petitioner / detenue (Mamta @ Manoj Kumari) before this Hon'ble Court for setting her free from illegal custody of respondents and for restoration of legal custody of petitioner / detenue to petitioner who is real elder sister of petitioner / detenue."

The detenue in the present case is minor and the sister of the petitioner. It is on record that in her statement recorded under Section 164 Cr.P.C., the detenue had stated that she was in a voluntary physical relationship with the husband of the petitioner. The records indicate that the detenue initially was given to her father and it has been stated in the affidavit that the detenue has now been sent to the Nari Niketan.

The petitioner no. 1, i.e., the sister of the petitioner has no *locus standi* to seek the relief prayed for.

The writ petition is ***dismissed***.

Order Date :- 22.11.2023

Satyam