

Court No. - 13

Case :- HABEAS CORPUS WRIT PETITION No. - 156 of 2022

Petitioner :- Asha Devi Thru. Her Husband Raj Kumar

Respondent :- State Of U.P. Thru. Prin. Secy. Home, Civil Sectt. Lko. And 4 Others

Counsel for Petitioner :- Ajay Bahadur Yadav

Counsel for Respondent :- G.A.

Hon'ble Karunesh Singh Pawar,J.

1. Heard learned counsel for the petitioner and learned A.G.A. for the respondent State.

2. The present Habeas Corpus petition has been filed with the prayer to direct the respondent no.4 and 5 to release the detinue and set her free according to her wish and will. It has been also prayed to direct the respondent no.4 to produce the petitioner/detinue before this Court.

3. Learned A.G.A. for the respondents, on the basis of instructions received, which is taken on record, has submitted that written application has been given by the detinue Asha Devi to the Station Officer Bachrawan, Raebareli to the effect that she was married to the deponent of this petition, The marriage was, however consummated as the marriage was done by concealing the disease of epilepsy of her husband/the deponent of this petition, therefore, due to this reason she is not residing with him. She has not been illegally detained by respondent nos.4 and 5.

4. Learned counsel for the petitioner though has disputed the written instructions provided by learned A.G.A..

5. Written instructions provided by learned A.G.A.

makes it clear that it is not the case of illegal detention, hence, the Habeas Corpus petition fails and is accordingly dismissed.

Order Date :- 3.11.2023

Madhu