

Court No. - 13

Case :- HABEAS CORPUS WRIT PETITION No. - 269 of 2023

Petitioner :- Babli Mishra Thru. Her Husband Ankit Singh

Respondent :- State Of U.P. Thru. Prin. Secy. Deptt. Of Home, Lko. And Another

Counsel for Petitioner :- Ram Chandra Dwivedi

Counsel for Respondent :- G.A.

Hon'ble Karunesh Singh Pawar,J.

1. The petition seeks issuance of a writ in the nature of Habeas Corpus commanding the opposite parties, particularly respondent No.2 to produce the detainee in Court and give her in the custody of the deponent.
2. Heard learned counsel for the petitioner and learned Additional Government Advocate as also perused the record.
3. Notice to respondent No.2 is dispensed with in view of the proposed order.
4. Learned A.G.A. on the basis of written instructions which are taken on record and the statement of the detainee under section 161 CrPC has stated that the detainee on her own accord and free will is residing with her parents. She has not been illegally detained. The statement has been given by the detainee without any pressure or coercion. In view of the statement given by the detainee, it is evident that it is not an illegal detention.
5. The petition, thus, fails and is dismissed.

Order Date :- 6.11.2023

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