

Court No. - 13

Case :- HABEAS CORPUS WRIT PETITION No. - 287 of 2023

Petitioner :- Manu Verma, Thru. Smt. Ragini Verma And Another

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

Counsel for Petitioner :- Saryu Prasad Tiwari, Vijay Lakshmi Singh

Counsel for Respondent :- G.A.

Hon'ble Karunesh Singh Pawar,J.

Heard learned counsel for the petitioner as well as learned AGA for the State as well as perused the record.

By this petition, the petitioner has prayed for the following relief:-

(i) issue a writ, order or direction in the nature of HABEASCORPUS directing the Opposite Party No.2, Station House Officer, Police Station- Madiyaon, Lucknow to produce the Detenue / Petitioner No.1 before the court and allow to Petitioner No.2 to meet with him.

Notices to respondent no. 3, 4 and 5 are dispensed with in view of the proposed order.

Learned AGA on the basis of instructions has submitted that Manu Verma (detenue) is the husband of the deponent Ragini Verma. In the petition, it is nowhere stated by the petitioner that an FIR bearing FIR No. 184/2023, at P.S. Haja by Ragini Verma has already been lodged against the detenue as well as respondent no. 4 and 5 under Section 498A/323/506 IPC read with Section 3/4 D.P. Act. In that case, investigation has been completed and charge sheet has been forwarded to the Court.

It is further submitted by the learned AGA that nowhere in the petition, it has been averred that since when the detenue has been detained. It is also submitted that the petition suffers from material concealment as the deponent of the petition is the informant of the FIR and there is no whisper regarding lodging of the FIR while filing the petition.

In view of the above as well as considering the fact that there is a matrimonial dispute pending between the detenue and the deponent as well as private parties; FIR has also been lodged by

none other than the deponent of this petition and this material fact has been concealed while filing the petition, the petition is therefore, dismissed on the ground of concealment of facts.

Order Date :- 24.11.2023

R.C.