

Court No. - 13

Case :- HABEAS CORPUS WRIT PETITION No. - 351 of 2023

Petitioner :- Smt. Smriti Shukla Thru. Husband Shubhm Shukla And Another

Respondent :- State Of U.P. Thru. Prin. Secy. Home Lko. And 3 Others

Counsel for Petitioner :- Sanjay Pandey, Harshita Mishra, Pooja Dubey

Counsel for Respondent :- G.A.

Hon'ble Karunesh Singh Pawar, J.

Heard learned counsel for the petitioners as well as learned AGA for respondent no. 1 to 3.

Notices to respondent no. 4 are dispensed with in view of the proposed order.

Learned counsel for the petitioners submits that detainee no. 1 and 2 have been illegally detained by respondent no. 4 against her wish.

Learned AGA on the basis of the instruction received from ACP, Mahanagar, Lucknow has submitted that detainee no. 1 is subjected to cruelty and physical abuse at the hands of the deponent who has filed this petition and therefore on her own will and accord, she went away to reside with her brother. It is not a case of illegal detention.

On due consideration to the submissions advanced as well as perusal of the record, it appears to be a case of matrimonial dispute. No case of illegal detention is made out.

Writ of habeas corpus fails and is accordingly dismissed.

Instructions provided by the learned AGA along with the application given by detainee no. 1 to the Circle Officer, Mahanagar, regarding domestic violence is taken on record

Order Date :- 3.11.2023

R.C.