

Court No. - 13

Case :- HABEAS CORPUS WRIT PETITION No. - 355 of 2023

Petitioner :- Khusi Thru. Her Husband Kapil Kumar

Respondent :- State Of U.P. Thru. Prin. Secy. Home Deptt. Govt. Lko. And 6 Others

Counsel for Petitioner :- Aditya Singh, Mamta Singh, Mohd Wajid Irfan

Counsel for Respondent :- G.A.

Hon'ble Karunesh Singh Pawar, J.

Vakalatnama filed by Shri Milan Singh Yadav, Advocate on behalf of respondent no.7 is taken on record.

Present petition has been filed for issuing a writ in the nature of Habeas Corpus directing respondents to produce the detinue/petitioner before this court and set her at liberty to reside with her Husband namely Kapil Kumar.

In compliance of the order dated 7.11.2023, the detinue Khusi is present before this Court. Sub-Inspector Kauslendra Prasad Mishra is also present.

Upon a query being made to the detinue, she has clearly stated that she is presently 17 years of age. She is residing with her father out of her own free will. She has not been illegally detained and she does not want to go with the deponent Kapil Kumar.

In view of the statement made by the detenue Khusi before this Court, who according to her statement, is capable enough to make choice/take a decision regarding her well being as out-rightly she denied the contention of the deponent of this petition that she has been illegally detained.

Considering the above, it is clear that it is not a case of illegal detention. Accordingly, the Habeas Corpus petition fails and accordingly, **dismissed.**

Order Date :- 29.11.2023

Madhu