

Court No. - 13

Case :- HABEAS CORPUS WRIT PETITION No. - 373 of 2023

Petitioner :- Faria Siddqui Thru. Her Husband Hasan Khan And Another

Respondent :- State Of U.P. Thru. Prin. Secy. Home Lko. And 5 Others

Counsel for Petitioner :- Kirti Kar Tripathi, Shrikant Tripathi

Counsel for Respondent :- G.A.

Hon'ble Karunesh Singh Pawar, J.

Heard learned counsel for the petitioners and learned AGA for respondent no. 1 to 4.

Notices to respondent no. 5 and 6 are dispensed with in view of the proposed order.

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

Issue a Writ in the nature of Habeas Corpus or any other Writ or Order or direction commanding L the respondent nos. 1 to 4 immediately to produce the petitioners before this Hon'ble High Court, who are under illegal custody of respondent nos. 5 & 6.

Learned AGA on the basis of instructions has submitted that a missing report was lodged by the deponent. Upon investigation, it has been found that the detinue no. 1 along with her daughter i.e. detinue no. 2 is residing with one Imtiaz @ Chand out of her own accord and free will. She has not been forcibly taken or detained by anybody. She has also given an application for separation from her husband i.e. the deponent in this petition. She has prayed that no action be taken regarding her missing report.

Instructions provided by the learned AGA are taken on record.

In view of the instructions provided by the learned AGA, it is evident that it is not a case of illegal detention.

Writ of habeas corpus fails and is accordingly dismissed.

Order Date :- 22.11.2023

R.C.