

Court No. - 13

Case :- HABEAS CORPUS WRIT PETITION No. - 390 of 2023

Petitioner :- Smt. Aarti Devi And 2 Others

Respondent :- State Of U.P. Thru. Addl. Chief Secy. Lko And 2 Others

Counsel for Petitioner :- Yuga Raj Singh, Vandana Rawat

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 and 2.

Notice to respondent no. 2 are dispensed with.

The petitioner has prayed for the following relief:-

"issue issuing a writ, order or direction, nature of Habeas Corpus to produce to petitioners/ detenue before this Hon'ble Court for release from illegal detention of opposite party no.3."

Learned AGA on the basis of instructions submits that due to the dispute between Aarti Devi and Prem Pal, Aarti Devi left her husband along with her two children who are detenue no. 2 and 3 in the petition and went her parents' house. She has remarried with one Jagat Pal who is respondent no. 3 in the petition and residing with him in District Kheri of her own free will and accord. She has not been illegally detained. The marriage agreement of Aarti Devi and Jagat Pal has also been provided by the learned AGA along with written instructions.

In view of the above, it is clear that the detenues have not been illegally detained by respondent no. 3.

Writ of habeas corpus fails and is accordingly dismissed.

Instructions provided by the learned AGA are taken on record.

Order Date :- 14.12.2023

R.C.