

Court No. - 16

Case :- HABEAS CORPUS WRIT PETITION No. - 198 of 2024

Petitioner :- Master Joy Thru. His Father Mr. Ajeet Singh

Respondent :- State Of U.P Thru. Prin. Secy. Home Deptt. Lko. And 4 Others

Counsel for Petitioner :- Waseeq Uddin Ahmed

Counsel for Respondent :- G.A.

Hon'ble Shamim Ahmed,J.

Heard Sri Waseeq Uddin Ahmed, learned counsel for the petitioner and Sri Ashok Kumar Singh, learned A.G.A.-I for the State.

This writ petition has been filed with following main prayer:-

"a. Issue a writ, order or direction in the nature of Habeas Corpus commanding the opposite parties, particularly opposite party no.4, to produce the detenue namely Master Joy before this Hon'ble Court and hand over his custody to the detenue's family i.e. Mr. Ajeet Singh."

Learned A.G.A.-I for the State has supplied instructions today in the Court, which is taken on record.

After some argument, learned counsel for the petitioner submits that he wants to withdraw this writ petition with liberty to approach appropriate forum under the Guardians and Wards Act, 1890 or Hindu Minority and Guardianship Act, 1956 for claiming the custody of minor child in accordance with law as this Court has already decided a writ of Habeas Corpus bearing No.66 of 2022 on 28.08.2023 i.e. almost more than one year.

Learned A.G.A.-I for the State has no objection to the prayer made by learned counsel for the petitioner.

Accordingly, the instant writ petition is **dismissed** as withdrawn with liberty to approach the appropriate forum in accordance with law for claiming custody of minor child.

Order Date :- 16.7.2024

Saurabh