

Court No. - 16

Case :- HABEAS CORPUS WRIT PETITION No. - 201 of 2024

Petitioner :- Smt. Vandana Thru. Her Mother Shabnam

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

Counsel for Petitioner :- Vijayendra Prakash Tripathi, Komal Prasad Tiwari

Counsel for Respondent :- G.A.

Hon'ble Shamim Ahmed, J.

Heard Sri Komal Prasad Tiwari, learned counsel for the petitioner as well as Sri Ashok Kumar Singh, learned A.G.A.-I for the State and perused the record.

The instant writ petition has been filed seeking issuance of writ, order or direction in the nature of Habeas Corpus commanding and directing the opposite parties to produce the petitioner (detenue) before this Hon'ble High Court and she may be set at liberty under the care and custody of her mother.

Learned counsel for the petitioner submits that the husband of the detenue has illegally detained her and he is not allowing the parents of the detenue to meet her, thus, this Court may issue a direction for producing the detenue before this Court.

On the other hand, learned A.G.A.-I for the State submits that the detenue is not under illegal custody as she is willingly living with her husband and respondent no.4 is husband of the detenue. He further submits that it cannot be said that the major girl living with her husband after marriage is under illegal detention. The detenue is major and she is free to live anywhere she wants on her own sweet will.

After hearing learned counsel for the respective parties, this Court finds that the detenue is not under illegal custody as she is willingly living with her husband and respondent no.4 is husband of the detenue and it cannot be said that the major girl living with her husband after marriage is under illegal detention as the detenue is major and she is free to live anywhere she wants on her own sweet will.

With the above observations, the instant writ petition is **dismissed**.

Order Date :- 19.7.2024

Saurabh