

Court No. - 16

Case :- HABEAS CORPUS WRIT PETITION No. - 268 of 2024

Petitioner :- Km. Sadhna Saroj Thru. Her Brother Phool Chnadra Saroj

Respondent :- State Of U.P. Thru. Prin. Secy. Deptt. Home Civil Sectt. Lko And 3 Others

Counsel for Petitioner :- Salik Ram Tiwari, Arti Yadav

Counsel for Respondent :- G.A.

Hon'ble Shamim Ahmed, J.

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

The instant writ petition has been filed seeking following main relief:-

"(i) issue a writ, order in the nature of Habeas Corpus directing the opposite parties to produce the detenue before this Hon'ble Court and handover the detenue/petitioner to her brother."

At the very outset learned A.G.A.-I for the State has made a preliminary objection and submits that this is second writ petition and the first writ petition has already been dismissed by this Court vide order dated 09.07.2024 passed in Habeas Corpus Writ Petition No.193 of 2024 as per instructions received to him from the Sub Inspector of Police, Police Station Kohdaur, District Pratapgarh, which is taken on record. The order dated 09.07.2024 is being reproduced hereunder:-

"Sri Sumit Kumar Srivastava, learned counsel for the petitioner after some argument submits that he does not want to press this petition and the same may be dismissed as not pressed with liberty to avail other remedy as available under law.

Sri Hari Shanker Bajpai, 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 not pressed with liberty to avail appropriate remedy as per law. "

He further submits that inspite of availing another remedy, the petitioner has again approached this Court, thus, the relief sought in this writ petition cannot be granted.

After some argument, learned counsel for the petitioner submits that he does not want to press this writ petition and want to avail remedy as per order dated 09.07.2024 passed in Habeas Corpus Writ Petition No.193 of 2024.

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 not pressed with liberty to approach appropriate forum as per order dated 09.07.2024 passed in Habeas Corpus Writ Petition No.193 of 2024.

Order Date :- 13.9.2024
Saurabh