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IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(CRL) 2295/2019 & CRL. M.A. 34468/2019

DR. SHAH FAESAL Petitioner

Through Ms. Warisha Farasat with
Ms. Rudrakshi Deo, Advocates

versus

UNION OF INDIA & ORS. Respondents

Through Mr. Tushar Mehta, Solicitor
General with Mr. Vikas Mahajan,
CGSC,
Mr. Aakash Varma, Mr. Prajesh
V.S., Mr. Anil Kumar and Mr.
Deepak Goyal, Advocates for UOI.
Ms. Shashi Juneja, ASC for State
of J&K with Mr. Ankur Talwar and
Mr. Kanu Agrawal, Advocates.
Mr. Lalit Mohan Negi, ACP/Spl.
Cell with Insp. Kailash Singh
Bisht/Spl. Cell.

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Date of Decision: 12th September, 2019

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

J U D G M E N T

MANMOHAN, J: (Oral)

1. Present writ of Habeas Corpus has been filed by a Pairokar seeking the release of the petitioner-Dr. Shah Faesal.

2. Today in Court, Ms. Warisha Farasat, learned counsel for the petitioner has handed over an affidavit of the wife of the petitioner seeking permission to withdraw the present writ petition with liberty to the petitioner *“to seek remedies in law available to him at an appropriate time”*. The said affidavit is taken on record.

3. Mr. Tushar Mehta, learned Solicitor General appearing for Union of India has no objection to the prayer for withdrawal. He, however, states that the respondents do not admit the contents of either the rejoinder-affidavit or paragraph 3 of the affidavit seeking permission to withdraw the present writ petition.

4. As the petitioner is seeking withdrawal of present writ petition, it is not necessary for this Court to express any opinion on the averments made in the rejoinder-affidavit as well as in paragraph 3 of the affidavit seeking permission to withdraw.

5. Consequently, the present writ petition and pending application are dismissed as withdrawn with liberty to the petitioner to seek remedies in law as available to him at an appropriate time. This Court makes it clear that it has not adjudicated upon the controversy at hand. Needless to say, the rights and contentions of all the parties are left open.

MANMOHAN, J

SANGITA DHINGRA SEHGAL, J

SEPTEMBER 12, 2019

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