

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPHC No. 21 of 2021**

Sunita Upadhyay W/o Madho Upadhyay Aged About 55 Years R/o Shanti Vihar, Annapurna Colony Chuchuhiyara, Tehsil Bilaspur, District Bilaspur Chhattisgarh.

---- Petitioner**Versus**

1. State of Chhattisgarh, Through The Secretary, Home Department (Police), Mantralaya, Mahanadi Bhawan, Atal Nagar, Raipur, District Raipur Chhattisgarh.
2. Superintendent of Police District Bilaspur, Chhattisgarh.
3. Station House Officer Police Station Torwa, District Bilaspur Chhattisgarh.
4. Pipasha Purana Power House, Bandhwapara, Bilaspur, District Bilaspur Chhattisgarh.

---- Respondents

(Cause-title taken from Case Information System)

For Petitioner	:	Mr. Rahul Agrawal and Mr. Arham Siddiqui, Advocates
For Respondents No.1 to 3	:	Mr. H.S. Ahluwalia, Deputy Advocate General

Hon'ble Shri Arup Kumar Goswami, Chief Justice**Hon'ble Shri Sanjay Agrawal, Judge****Order on Board****Per Arup Kumar Goswami, Chief Justice****14.12.2021**

Heard Mr. Rahul Agrawal and Mr. Arham Siddiqui, learned counsel for the petitioner. Also heard Mr. H.S. Ahluwalia, learned Deputy Advocate General appearing for respondents No.1 to 3.

2. By filing this petition in the nature of Habeas Corpus, the petitioner has sought for a direction for production of her son namely, Deepak Upadhyay, from the custody of respondent No.4.

3. In the morning, when the case was taken up, Mr. Ahluwalia submitted that on advance notice of this petition being given to him, he has obtained instructions from the respondents. He also submitted that Deepak Upadhyay can be produced before the Court today itself and prayed for taking up the matter in the second half.

4. Accordingly, the matter was again taken up in the second half.

5. The Station House Officer of Police Station, Torwa has produced Mr. Deepak Upadhyay before the Court.

6. Mr. Upadhyay states that he has voluntarily come out of the residence because of family disputes and he is not interested to go back. Nobody has exerted any pressure on him. He also states that he is not staying with the respondent No.4 and he is residing alone in a rented house.

7. Both the petitioner and Deepak Upadhyay state that Deepak Upadhyay is about 27 years of age.

8. Having regard to the statements made in the Court by Mr. Deepak Upadhyay, we are of the considered opinion that this petition is not required to be entertained and accordingly, the same is closed.

Sd/-
(Arup Kumar Goswami)
Chief Justice

Sd/-
(Sanjay Agrawal)
Judge