Court No. - 12

Case :- HABEAS CORPUS WRIT PETITION No. - 319 of 2024

Petitioner :- Smt. Haseena Thru. Her Hauband Sri Mohd. Istikhar
Respondent :- State Of U.P. Thru. Prin. Secy. Deptt. Of Home Lko. And 4 Others
Counsel for Petitioner :- Chandra Bhanu Singh
Counsel for Respondent :- G.A.

Hon'ble Saurabh Lavania,J.

1. Shri Mohd. Irfan Siddiqui, Advocate, has put in appearance and filed his Vakalatnama on behalf of opposite party no.5 and detenue Haseena, which is taken on record.

2. Heard learned counsel for the petitioner, learned counsel for opposite party no.5 as well as learned A.G.A. and perused the record.

3. The present petition has been filed seeking the following main relief:-

"(i) issue a writ, order in the nature of Habeas Corpus directing the opposite parties no.3 to produce the detenue before this Hon'ble court and after taking statement set free the detenue at her liberty."

4. In terms of order dated 25.10.2024, the detenue/Smt. Haseena w/o Mohd. Istikhar, has been produced before this Court by S.H.O., Police Station -Kachhauna, District Hardoi. She has been identified by her counsel.

5. On 25.10.2024 the following order was passed:-

"Learned counsel for the petitioner submitted that the detenue is the wife of the petitioner/Mohd. Istikhar and has been illegally detained by opposite party Nos. 3 to 5.

Considering the facts of the case, let notice be issued to opposite party Nos. 3 to 5, returnable at an early date.

Steps be taken within seven working days.

List this case on 28.11.2024 as fresh.

Let detenue/Smt. Haseena W/o Mohd. Istikhar, be produced before this Court on the next date of listing by S.H.O., Police Station-Kachhauna, District-Hardoi.

On the next date, a draft amounting to Rs. 35,000/- would be provided to the detenue/Smt. Haseena by the petitioner, before this Court, as stated by learned counsel for the petitioner."

6. The amount indicated in the order dated 25.10.2024, i.e. a draft amounting to Rs.35,000/- has not been placed before this Court.

7. The detenue - Smt. Haseena w/o Mohd. Istikhar says that she does not want to accompany the next friend.

8. Accordingly, the petition is **dismissed**. The amount of Rs.35,000/- shall be recovered from the next friend, namely, Mohd. Istikhar as arrears of land revenue and shall be paid by the Collector to the detenue/Smt. Haseena within two months from the date of production of a certified copy of this order.

Order Date :- 28.11.2024
Anand/-

Digitally signed by :-
ANAND KUMAR SRIVASTAVA
High Court of Judicature at Allahabad,
Lucknow Bench