

Allahabad High Court

Smt. Mitali Vishwas vs Tapan Kumar Vishwas on 28 July, 2010

Court No. - 5

Case :- HABEAS CORPUS No. - 293 of 2010

Petitioner :- Smt. Mitali Vishwas

Respondent :- Tapan Kumar Vishwas

Petitioner Counsel :- Vivek Kumar Pandey

Respondent Counsel :- Om Prakash Mishra

Hon'ble Vedpal, J.

By means of this petition, the petitioner has prayed for issuance of a writ in the nature of habeas corpus against the opposite party to produce the detenu (Smt. Mitali Vishwas) before the Court and to release her from unlawful custody of her father.

Ms. Mitali Vishwas is present in the Court. Her statement has been recorded wherein she has stated that she is residing at her own house with her father with her own free will and she had not been detained and she wants to reside with her father.

In view of the statement, made by Ms Mitali Vishwas, it is not a case of illegal detention. Ms Mitali is a major girl. She is at liberty to reside where she wants to live.

In view of the above, the petition deserves to be dismissed and is accordingly dismissed.

Order Date :- 28.7.2010 Tripathi