

(2011) 07 AHC CK 0185

In the Allahabad High Court

Case No : Habeas Corpus Writ Petition No. 31520 of 2011

Jitendra and another

APPELLANT

Vs

State of U.P.and others

RESPONDENT

Date of Decision : 27-07-2011

Acts Referred:

Citation : (2011) 07 AHC CK 0185

Hon'ble Judges : Vinod Prasad, J

Final Decision : Allowed

Judgement

Vinod Prasad, J.

Heard Sri Jayant Kumar, learned counsel for the petitioners, Sri Sanjai learned counsel for the respondent no.3 and learned AGA in opposition.

Detenue Smt. Ajoobi Devi is present in Court.

I have perused record of this petition especially Annexure No.3 appended therein by which Investigating Officer of Crime No.124 of 2011 under Sections 363, 366 IPC, had not sought for remand of petitioner no.1 in the aforesaid crime for the reason that Smt. Ajoobi Devi was found to be major and from her statement, it culled out that she has married with petitioner no.1 Jitendra on her own volition, therefore, Jitendra has not committed any offence.

Sri Sanjai, learned counsel for the respondent no.3 Ram Kishan Nishad who is father of petitioner no.2 Smt. Ajoobi Devi, detenue also made a statement that he does not have any objection if Smt. Ajoobi Devi and Jitendra, petitioners herein this petition, live together.

In view of the above, no further deliberation is required. This Habeas Corpus Writ Petition is allowed. Smt. Ajoobi Devi and Jitendra are permitted to live as they feel like together or according to their wishes.

Money which has been deposited in this petition is directed to be handed over to

Smt. Ajoobi Devi.