



HIGH COURT OF JUDICATURE AT ALLAHABAD

HABEAS CORPUS WRIT PETITION No. - 946 of 2025

Megha Raikwar

.....Petitioner(s)

Versus

State Of U.P. And 4 Others

.....Respondent(s)

Counsel for Petitioner(s) : Jay Prakash Singh Yadav, Raghvendra
Yadav

Counsel for Respondent(s) : G.A.

Court No. - 88

HON'BLE VINOD DIWAKAR, J.

1. Heard learned counsel for the petitioner, learned A.G.A. for the State, and perused the record.

2. The present petition has been filed by the mother of the corpus seeking a direction to respondent nos. 1 to 3 to recover the corpus- a minor girl aged about 15 years- from the alleged illegal custody of respondent no. 5 and to hand her over to the petitioner.

3. Learned counsel for the petitioner submits that the corpus was illegally enticed away by respondent no. 5 on 10.06.2025. The petitioner thereafter submitted a complaint before Station House Officer, Sipri Bazar, Jhansi (respondent no. 3), which was turned into FIR dated 11.06.2025 and registered as Case Crime No. 212 of 2025 under section 87 and 137(2) of BNS at P.S. Sipri Bazar, Jhansi. Subsequently, on 16.06.2025, another application was moved before the Senior Superintendent of Police, District Jhansi (respondent no. 2), but despite this, the corpus has not been recovered. It is stated that the suspect/accused arrayed as respondent no. 5 was arrested and later released on bail, and that a charge sheet was submitted on 13.08.2025.

4. Upon perusal of the instructions, it appears that the Investigating Officer has merely recorded the oral statement of the accused to the effect that the girl ran away while he was sleeping. The manner in which the investigation has been conducted raises serious concerns. It appears that the Investigating Officer has failed to carry out a fair, impartial, and effective investigation and has, in fact, compromised the investigative process.

5. In the aforesaid circumstances, the Senior Superintendent of Police, Jhansi, is directed to file a personal affidavit, on or before the next date of hearing, indicating: (i) who supervised the investigation and forwarded the charge sheet; (ii) whether the supervising officer was satisfied with the conclusions drawn by the Investigating Officer; and (iii) why no effective steps have been taken to recover the corpus, despite her being a minor and despite the allegations made in the FIR.

6. The Senior Superintendent of Police, Jhansi, shall further state in the affidavit whether the directions issued by this Court in Subhash Chandra & Ors. vs. State of U.P. & Anr., Application U/S 482 No. 12482 of 2024, have been duly complied with, and if so, provide details of such compliance.

7. List this case on 10.12.2025 at 2:00 p.m. in the daily cause list.

December 2, 2025
Nadeem

(Vinod Diwakar,J.)