

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION (HABEAS CORPUS) NO. 9390 of
2026****BAKULBHAI KASTURBHAI MALI
Versus
STATE OF GUJARAT & ORS.**

Appearance:

**MR. HARSH MITEN PARIKH(19004) for the Applicant(s) No. 1
MS SHRUTI PATHAK, ADDITIONAL PUBLIC PROSECUTOR for the
Respondent(s) No. 1****CORAM: HONOURABLE MS. JUSTICE SANGEETA K. VISHEN
and
HONOURABLE MR. JUSTICE UTKARSH THAKORBHAI
DESAI****Date : 03/07/2026****ORAL ORDER****(PER : HONOURABLE MS. JUSTICE SANGEETA K. VISHEN)**

1. Mr Harsh Miten Parikh, learned advocate appearing for the applicant submitted that the corpus is legally wedded wife of the petitioner which factum, is substantiated by the certificate of registration of marriage. The marriage took place on 11.05.2026 at Chandkheda and was registered on 12.05.2026. The petitioner and the corpus were staying together being legally wedded husband and wife; however, the family members of the corpus were searching for the corpus and even at one point of time, the elder brother of the petitioner was assaulted and was left on the roadside. The police instead of taking him to the hospital, took him to the police station for recording the statement. In fact, the elder brother of the petitioner was not conscious. Therefore, the respondent police officers have exhibited an approach not befitting the authorities. Even representation was made to the concerned police station. Instead of acceding to the request, the authorities have facilitated the family members of the corpus and the corpus, now, is illegally

detained by the family members.

2. Issue notice to the respondents, returnable on 14.07.2026. Ms Shruti Pathak, learned Additional Public Prosecutor waives service of notice on behalf of respondent nos.1 and 2. For respondent no.3, notice to be served through the concerned police station.

(SANGEETA K. VISHEN,J)

RAVI P. PATEL

(UTKARSH THAKORBHAI DESAI, J)