

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/SPECIAL CRIMINAL APPLICATION (HABEAS CORPUS) NO.
11971 of 2024

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PARMAR DILIPSINH UDESINH

Versus

STATE OF GUJARAT & ORS.

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Appearance:

MR HAMESH C NAIDU(5335) for the Applicant(s) No. 1
DS AFF.NOT FILED (N) for the Respondent(s) No. 2,3,4
MR ANKIT SHAH(6371) for the Respondent(s) No. 6
MR MRUGEN K PUROHIT(1224) for the Respondent(s) No. 5
MR. JAY MEHTA, APP for the Respondent(s) No. 1

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CORAM: HONOURABLE MR.JUSTICE N.S.SANJAY GOWDA
and
HONOURABLE MR.JUSTICE UTKARSH THAKORBHAI
DESAI

Date : 19/09/2025

ORAL ORDER

(PER : HONOURABLE MR.JUSTICE N.S.SANJAY GOWDA)

[1] This petition is filed seeking for a direction to direct the police to secure the presence of the petitioner's daughter from the custody of the respondent No.4. It is alleged that respondent No.4 abducted the petitioner's daughter in the month of June 2024 and her whereabouts are yet to be traced.

[2] Having regard to the averments made, this Court ordered UIDAI (Unique Identification Authority of India) to be impleaded

as respondent No.6. Learned Additional Public Prosecutor submits that the investigating authority had made a request to the UIDAI to furnish details of the Aadhaar authentication that was made in respect of respondent No.4 and the said request has been rejected by the authority on the ground that the information sought for can be obtained only by an order of the High Court by virtue of 2nd proviso to Section 33 of Act No.18 of 2016.

[3] Having regard to the fact that this Court is attempting to determine the whereabouts of the respondent No.4, who is alleged to have the illegal custody of Parmar Panchal, the daughter of the petitioner who alleged to be illegal custody of respondent No.4, we deem it appropriate to direct the authority to consider the request of the police and furnish the information as sought for.

[4] An argument was sought to be advanced that a direction cannot be issued to the authority unless the concerned Aadhaar holder ascertain the matter. It is stated here that the question

in matters of this nature, i.e., matters relating to production of a missing person under the exercise of habeas corpus jurisdiction, the question of hearing the concerned Aadhaar holder would not arise since the Aadhaar card holder himself would be missing.

[5] Re-list on **26.09.2025**.

(NSSG, J.)

(UTKARSH THAKORBHAI DESAI, J.)

DHARMENDRA KUMAR