



**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

D.B. Habeas Corpus Petition No. 84/2026

Gumana Ram S/o Bhera Ram, Aged About 39 Years, Resident Of
Boogdi, Bugri, Jodhpur, Rajasthan.

-----Petitioner

Versus

1. The State Of Rajasthan, Through The Secretary, Ministry
Of Home Affairs, Rajasthan, Jaipur.
2. The Superintendent Of Police, Bikaner.
3. The Station House Officer Of Police Station, Panchu,
District Bikaner.
4. Pema Ram S/o Phusa Ram, Resident Of Panchu, District
Bikaner.

-----Respondents

For Petitioner(s) : Mr. Kailash Prasad and
Mr. Vichitra

For Respondent(s) : Mr. Deepak Choudhary, AAG

**HON'BLE MR. JUSTICE ARUN MONGA
HON'BLE MR. JUSTICE YOGENDRA KUMAR PUROHIT**

Order (Oral)

11/02/2026

Per: Arun Monga, J

1. The petitioner before this Court claims himself to be the partner of the alleged detainee/corpus. He seeks issuance of a writ in the nature of habeas corpus for the recovery of his partner, who is allegedly in the illegal confinement of private respondent No. 4.

2. Learned counsel for the petitioner submits that the detainee, Mrs. Kamla, aged about 39 years, is a major and was in a consensual relationship with the petitioner. It is stated that both of them decided to reside together in a live-in relationship and executed an affidavit to that effect. Thereafter, they approached this Court by filing Criminal Writ Petition No. 2423/2025, and vide order dated 18.08.2025, this Court was pleased to grant protection to them. Learned counsel for the petitioner submits



that the petitioner and the detenue had been living together for a considerable period as partners akin to husband and wife.

3. It is further submitted that on 27.09.2025, Respondent No. 4 and other family members, allegedly with ill motive, forcibly abducted and illegally detained the detenue from the company of the petitioner. Despite repeated representations and complaints made by the petitioner and his family members before the local police authorities as well as higher officials, no effective steps were taken to trace and secure the release of the detenue. Learned counsel for the petitioner contends that the inaction on the part of the authorities has emboldened the private respondents.

4. Learned counsel argues that the illegal detention of the detenue violates her fundamental right to life and personal liberty guaranteed under Article 21 of the Constitution of India. It is further contended that there exists a serious apprehension of danger to the life of the detenue at the hands of Respondent No. 4 and others, therefore, appropriate directions are warranted for her protection and release.

5. Hence, this instant petition.

6. Heard and perused the case file.

7. On a pointed query posed to learned counsel for the petitioner as to the locus of Gumana Ram, who has filed the instant petition as to who is respondent No. 4 who is alleging to have put his live-in partner, namely Kamla, under illegal detention, he informs that he is her husband.



8. Respondent No. 4, Pema Ram, being husband of the alleged detainee, it so appears that it is case of a wife having gone back to her husband of her own volition and thus not a case of illegal detention.

9. We find no grounds to interfere, accordingly, the instant petition is dismissed.

(YOGENDRA KUMAR PUROHIT),J

(ARUN MONGA),J

163-Devanshi/- KP Singh Dewasi/-