



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

D.B. Habeas Corpus Petition No. 251/2026

Suresh Panwar S/o Sh. Bhana Ram, Aged About 40 Years,
Resident Of 134, Pavati Ka Bas. Sevago Ki Gali, Sojat, Pali,
District Pali, Rajasthan - 306104.

-----Petitioner

Versus

1. State Of Rajasthan, Secretary. Home Department,
Government Of Rajasthan, Secretariat, Jaipur.
2. The Superintendent Of Police, Pali.
3. The Station House Officer, Police Station Sojat City.
District Pali, Rajasthan.
4. Vijay Raj S/o Kanhaiya Lal, Resident Of Awasthiyon Ka
Bas, Sojat City, District Pali, Rajasthan.

-----Respondents

For Petitioner(s)	:	Mr. Akash Goyal
For Respondent(s)	:	Mr. Deepak Choudhary, AAG assisted by Mr. KS Kumpawat

**HON'BLE MR. JUSTICE ARUN MONGA
HON'BLE MR. JUSTICE SANDEEP SHAH**

Order

05/05/2026

1. The petitioner before this Court, claiming himself to be husband of the alleged detainee Ms.'X' (name withheld due to privacy reasons), seeks issuance of a writ in the nature of habeas corpus to recover his wife, who is stated to be in the illegal confinement at the hands of private respondent No.4.
2. At the outset, to be noted that the alleged detainee, Ms. 'X', is aged 35 years, with whom the petitioner is stated to be married. On 29.04.2026, she left their matrimonial residence and



a Missing Person Report was lodged on the same day at 10:56 PM.

We have no doubt law will take its own course qua that.

3. However, the petitioner suspects that Ms. 'X' has been lured away or is being illegally confined by Respondent No. 4, whose mobile phone has also been switched off since the incident. It is alleged that despite naming the suspect, the police have failed to take effective investigative steps, including analysis of call detail records.

4. Be that as it may, petitioner is present in person, and at the threshold, on a query by the Court, it transpires, and is also the affirmative case of the petitioner, that his wife is a 35-year-old adult, and two children have been born from the wedlock. She has abandoned the matrimonial home and is alleged to be in company of Respondent No. 4.

5. In the peculiar premise, we are of the view that the present petition is not maintainable. A writ of habeas corpus cannot be sought as a substitute for remedies available in matrimonial or civil disputes. In the instant case, the alleged detainee is a major and the grievance is essentially a matrimonial discord as the wife seems to have left her matrimonial home on her own volition. No case is thus made out to exercise the extraordinary writ jurisdiction of this Court.

6. The petition does not disclose any credible material establishing illegal confinement or unlawful restraint at the hands of Respondent No. 4, and the apprehension expressed is purely speculative.

7. The habeas corpus petition is, accordingly, dismissed. The petitioner is at liberty to avail such legal other remedies as may be



available to him under the law. Any pending application also stands disposed of.

(SANDEEP SHAH),J

202-raksha/-

(ARUN MONGA),J