

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Habeas Corpus Petition No. 186/2022

Ashutosh Sharma Son Of Shri Somveer Sharma, Aged About 32 Years, Resident Of 287, Near Airport Road, Teelawala, Brijpuri, Jagatpura, Jaipur (Raj.) (Father Of Abducted Son)

-----Petitioner

Versus

1. State Of Rajasthan, Through Home Secretary, Government Of Rajasthan, Secretariat, Jaipur (Raj.).
2. Director General Of Police, Police Headquarter, Jaipur (Raj.)
3. Additional Director General Of Police, Anti Human Trafficking, Unit Jaipur (Raj.)
4. Additional Commissioner Of Police, Jaipur East, Jaipur (Raj.)
5. S.h.o. Of Police Station Pratap Nagar, District Jaipur (East) (Raj.).
6. Himanshu Son Of Ram Bahadur, Aged About 30 Years, Resident Of Mahadev Nagar, Kachchi Basti, Ratan Lal, Police Station Govind Nagar, District Kanpur U.p.
7. Neha @ Prakhya Wife Of Ashutosh, Resident Of Mahadev Nagar, Kachchi Basti, Ratan Lal, Police Station Govind Nagar, District Kanpur U.p.

-----Respondents

For Petitioner(s)	:	Mr. Rajendra Singh
For Respondent(s)	:	Mr. Rajesh Choudary GA cum AAG with Mr. Aman Agarwal Ms. Neha Goyal Mr. Vinod Sharma Mr. Rajesh Sharma (RPS), ACP, Jaipur (East)

HON'BLE MR. JUSTICE MAHENDAR KUMAR GOYAL

HON'BLE MR. JUSTICE SAMEER JAIN

Order

23/02/2026

Pursuant to the order of this Court dated 22.01.2026, learned Government Advocate cum Additional Advocate General has submitted the status report dated 23.02.2026 furnished by

Additional Commissioner of Police, Women Cases Investigation Cell, Jaipur (East) along with report dated 16.02.2026 of the Directorate of Forensic Science, Gujarat State, Gandhi Nagar.

The report reflects that it could not be established that children of the petitioner were kidnapped by the private respondents.

From the status report, we are satisfied that despite best efforts, missing children of the petitioner could not be traced out. It is also reflected that on an earlier occasion, the petitioner has filed a DB Habeas Corpus petition No. 376/2021 which came to be disposed of by a Coordinate Bench of this Court vide order dated 10.02.2022 with the following observations:-

"In view of the information, which has been placed before us showing the efforts made by the police, we, at this stage, find that investigation is being carried out and efforts are being made to recover the child by the investigating authority and at this stage, it cannot be said that the police is not taking any steps or making no serious efforts to investigate into commission of crime and recover the child.

In view of above, we are inclined to dispose off this petition at this stage with a direction to the investigating authority that it shall leave no stone unturned and ensure that thorough investigation is carried out and all efforts are made to recover the missing child and take action against the offenders involved in kidnapping of petitioner's minor son. With liberty to the petitioner to revive the petition, in case necessity so arises, this petition is disposed off."

After filing this habeas corpus petition, the Investigating Agency has conducted Narco test of the petitioner as also of the respondent No. 7; but, the same failed to fetch any result. The grandfather and brother of the grandfather of the missing children

were also subjected to Layered Voice Analysis test which also failed to fetch any positive result, as is apparent from the report dated 16.02.2026, furnished by the Directorate of the Forensic Science, Gujarat State.

In view of the aforesaid, we feel satisfied that despite best efforts, the missing children could not be traced out.

Accordingly, this habeas corpus petition is disposed of with a direction to the official respondents to keep on searching the missing children with utmost sincerity and to submit the report before this Court, if required.

(SAMEER JAIN),J

(MAHENDAR KUMAR GOYAL),J