



HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. WRIT PETITION No. - 1126 of 2026

Sagar

.....Petitioner(s)

Versus

State Of Uttar Pradesh And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Dinesh Kumar, Dinesh Kumar Tripathi
Counsel for Respondent(s)	:	G.A.

Court No. - 47

HON'BLE J.J. MUNIR, J.

HON'BLE TARUN SAXENA, J.

An affidavit of compliance has been filed by the Commissioner of Police, Ghaziabad in Court today. Let it be taken on record and numbered by the office. In paragraph nos. 10 and 11 of the said affidavit filed, it is averred:

"10. That it is humbly submitted that the present investigation is now being conducted exclusively by the SIT under the supervision of Inspector Ajay Kumar Sharma, and all efforts are being made to trace and recover the minor victim at the * earliest. The case diary entries, daily progress reports, and SIT action taken reports have been compiled and are annexed for the kind perusal of the Hon'ble Court.

11. That it is humbly submitted that the Ghaziabad Police is making every possible effort, with utmost seriousness and urgency, to ensure the safe recovery of the minor victim. The SIT is functioning round the clock, and all available technical, human and field resources are being deployed. The directions of the Hon'ble Court are being complied with in letter and spirit."

A week's further time is granted to the Commissioner of Police, Ghaziabad to recover the victim and produce her before us, failing which he will appear in person before this Court on the next date. If, however, the victim is recovered, the Commissioner of Police, Ghaziabad need not appear.

The two officers, who are present in Court today, will appear again on the next date fixed.

After we had dictated the above order, learned Counsel for the petitioner has filed an affidavit or so to say it has been brought to our notice. Let this affidavit too be taken on record and numbered by the office. In paragraph nos. 3, 4 and 5 of the said affidavit, it is averred:

"3. That on 02.05.2026 police personnel namely **Sumit Chaudhary (Sub Inspector), Krishna Chaudari, and Ajay Sharma (constable)** posted in Police Station Kaushambi, District Ghaziabad came to the house of the Petitioner at night about 10:30 p.m. and abducted his minor son of the petitioner namely Om aged about 16 years.

4. That it is further submitted that police illegally detained the minor son of the Petitioner, entire night at police station and harass him and next day in the morning about 4:00 a.m. dropped him to the house.

5. That police regularly harassing the petitioner and his entire family members without reason, cause and justification and giving threat to foist the petitioner and their family members in other criminal case."

The allegations in paragraph nos. 3, 4 and 5 of the affidavit filed by the petitioner are very serious in nature. An inquiry shall be caused to be held into these allegations by the Director General of Police, Government of U.P., Lucknow and an affidavit filed annexing therewith a report of the preliminary inquiry held.

The Director General of Police, Government of U.P., Lucknow will be mindful of this fact that harassing a petitioner, who has come to this Court seeking relief, amounts to obstruction in the course of justice and, therefore, *prima facie* criminal contempt.

If the allegations are vindicated and no action taken, we will be compelled to draw proceedings for criminal contempt against Sumit Chaudhary, Sub-Inspector and Krishna Chaudari, Constable and Ajay Sharma, Constable, who went along with Sumit Chaudhary on 02.05.2026 to the petitioner's house at 10.30 p.m. and took away the petitioner's minor son who is aged sixteen years and illegally detained him, as the petitioner

asserts, at the police station through the night, harassed and dropped back home at 4.00 a.m.

Put up this matter as **fresh** on **22.05.2026 at 2.00 p.m.**

Until further orders of this Court, no member of the police force at Ghaziabad will visit the petitioner's house without prior leave of the learned District Judge, Ghaziabad and after indicating the cause.

Let this order be communicated to the learned District Judge, Ghaziabad and through the learned Chief Judicial Magistrate, Ghaziabad to the Commissioner of Police, Ghaziabad by the Registrar (Compliance) **within 24 hours.**

Let this order be also communicated to the Director General of Police, Government of U.P., Lucknow by the Registrar (Compliance) **within 24 hours.**

(Tarun Saxena,J.) (J.J. Munir,J.)

May 12, 2026

Prashant D.