



HIGH COURT OF JUDICATURE AT ALLAHABAD
HABEAS CORPUS WRIT PETITION No. - 154 of 2026

Arif

.....Petitioner(s)

Versus

State Of U.P. And 5 Others

.....Respondent(s)

Counsel for Petitioner(s) : Kamal Kishor Mishra, Sanjeev Kumar,
Vivek Singh
Counsel for Respondent(s) : G.A.

Court No. - 46

HON'BLE SIDDHARTH, J.
HON'BLE HARVIR SINGH, J.

1. Heard learned counsel for the petitioner and learned A.G.A for the State.
2. This writ petition has been filed praying for following reliefs :-

"(i) Issue a writ, or direction in the nature of habeas corpus and direct to the respondent authorities to produce the petitioner before this Hon'ble Court and set him at liberty to go with his own free will as per his wishes who is detained in the illegal custody of opposite parties.

(ii) Issue any other writ or order or direction, which this Hon'ble Court may deem fit and proper under the circumstances of the present case.

(iii) Award the cost of petition and counsel's fee in favour of the petitioner."

3. The allegations in the present habeas corpus petition are that the brother of the petitioner, namely Irshad @ Arif, son of Zahid, resident of Village–All Kalan, Police Station–Kairana, District–Shamli, has been illegally detained by the police since 08.02.2026 without registration of any case against him, and that his whereabouts are still unknown.
4. Counsel for the petitioner has filed supplementary affidavit today which shows conversation between one constable, Lalit and deponent, Irshad, brother of corpus Arif. It is alleged that the police has either eliminated, Arif

or he is detained at some unknown place and his whereabouts is not being disclosed by the police personnels.

5. Learned A.G.A., Sri Uday Prakash Srivastava, on the other hand, submits that the corpus was never taken into custody by the police of the concerned police station. According to him, the corpus has himself left his house and this writ petition has been filed only to pressurize the police personnels. A counter affidavit has already been filed on behalf of the State.

6. The Senior Superintendent of Police, Shamli, is directed to look into the matter personally and file his personal affidavit on the next date fixed, clearly stating the factual position regarding the alleged detention of the corpus. In case he is not in police custody, he shall be searched and his whereabouts shall be informed to the court. Role of constable, Lalit shall also be ascertained by the S.P aforesaid.

7. Put up this case as a fresh case on 25.02.2026.

February 18, 2026

Rohit

(Harvir Singh,J.) (Siddharth,J.)