



2026:AHC:105319

HIGH COURT OF JUDICATURE AT ALLAHABAD

HABEAS CORPUS WRIT PETITION No. - 360 of 2026

Deepanjali (Corpus) And Another

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s) : Ashutosh Kumar Mishra, Saurabh Mishra

Counsel for Respondent(s) : G.A., Ved Byas Mishra

Court No. - 53

HON'BLE SANDEEP JAIN, J.

Personal affidavits filed by the State are taken on record.

By order dated 04.05.2026, the State was directed to produce the minor corpus, Deepanjali, aged about five years, before this Court. In compliance with that order, the corpus has been produced by Sub-Inspector Rakesh Verma, Lady Sub-Inspector Kiran Devi, and Lady Constable Priti Tiwari, Police Station Nagar, District Barabanki.

The corpus was accompanied by a woman named Ram Devi, who claimed to be the mother-in-law of the petitioner, Arjun Singh. However, upon interaction with the Court, she accepted that she is not the mother of the petitioner, Arjun Singh.

According to her, the mother of the corpus, Khushbu Singh, died in a road accident on 12.09.2025. Prior to her death, Khushbu Singh had solemnized marriage with her son, Shubham Pathak @ Rajkumar; hence, she claimed that she became the mother-in-law of the deceased Khushbu Singh.

From the documents annexed to the petition, it is apparent that for claiming compensation for the untimely death of Khushbu Singh, a claim petition has been filed before the M.A.C.T., Barabanki, on behalf of the alleged mother-in-law Ram Devi, father-in-law Ramvijay Pathak, husband Shubham Pathak @ Rajkumar, and daughter Deepanjali.

It is apparent that Ram Devi is not related in any manner to the corpus Deepanjali, yet she is holding her custody on the ground that Khushbu Singh had allegedly solemnized marriage with her son, Shubham Pathak

@ Rajkumar, which is wholly doubtful.

Smt. Ram Devi accepted before the Court that she is not the biological mother of the petitioner Arjun Singh, but she accepted that the corpus is the daughter of Arjun Singh. By no stretch of imagination could Ram Devi be deemed to be the mother-in-law of the petitioner.

In view of the above facts, it is apparent that, although the corpus is in the custody of Ram Devi, she is not entitled to her legal custody in any manner whatsoever.

The Court also interacted with the petitioner, Arjun Singh, who disclosed that he is employed in a private company and earns about Rs. 30,000/- per month, from which he can maintain the corpus. He further disclosed that his elder sister, Seema Singh, who is present in Court, will look after the corpus. The Court also interacted with Seema Singh, who disclosed that she has two children, aged about 6 and 9 years, and is therefore capable of looking after the corpus and ensuring her welfare in every manner possible.

In view of the above, this Court deems it appropriate to hand over the custody of the corpus, Deepanjali, to the petitioner Arjun Singh, who is lawfully entitled to her custody following the death of his wife, Khushbu Singh, in a road accident on 12.09.2025.

Smt. Ram Devi is directed to hand over the custody of the corpus to the petitioner, Arjun Singh. The Court inquired whether Smt. Ram Devi desired visitation rights, but she declined, stating that she is not related to the corpus and therefore has no reason to visit her.

Accordingly, the habeas corpus petition is disposed of.

(Sandeep Jain,J.)

May 7, 2026

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