

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Habeas Corpus Petition No.14 of 2026

Vaibhav Gupta

..... Appellant

Vs.

State of Uttarakhand

..... Respondent

Present:

Mr. Ajeet Kumar Yadav and Ram Nivas Singh Rana, Advocates for the appellant.

Mr. J.S. Virk, D.A.G. for the State of Uttarakhand.

Coram: Hon'ble Ravindra Maithani, J.
Hon'ble Siddhartha Sah, J.

Hon'ble Ravindra Maithani, J. (Oral)

The instant *habeas corpus* petition has been filed by the petitioner for production of the *corpus* of Smt. Himanshi Singh, whom the petitioner claims to be his wife.

2. Heard learned counsel for the parties and perused the record.

3. According to the petitioner, he and Himanshi Singh both are major; they were in romantic relationship; they married on 15.04.2026. Thereafter, apprehending threats at the hands of respondent nos.3, 4, 5 and 6, they filed Writ Petition Criminal No.678 of 2026, Himanshi Singh and Another v. State of Uttarakhand and Others ("the first petition") seeking protection, which was decided by this Court on 17.04.2026 by the following order:-

"9. In such view of the matter, the instant writ petition is disposed of finally with the direction to the SSP, Haridwar – respondent no. 1 to make an assessment of the threat perception and if he comes to the conclusion that there is any threat from respondent nos. 3 to 14, take appropriate steps. Simultaneously, SHO, Police Station – Bahadrad District – Haridwar is also directed to call upon respondent nos. 3 to 14 and advise them not to take law in his hand."

4. According to the petitioner, in the meantime, on 17.04.2026, FIR No.68 of 2026, Police Station Maharajganj,

District Azamgarh, Uttar Pradesh, was falsely filed with regard to the missing of the corpus Himanshi Negi. On 21.04.2026, the police intercepted the petitioner and the *corpus* of Himanshi Singh. When the petitioner produced the protection order granted by this Court on 17.04.2026 in the first petition, he was abused and the protection order was not taken into consideration and the police demanded Rs. 20,000/- from the petitioner, which was paid through Unified Payments Interface (“UPI”). Thereafter, on 21.04.2026, the private respondents with the active connivance and presence of the Uttarakhand Police Forces removed Himanshi Singh from the territorial jurisdiction of Uttarakhand.

5. On 08.05.2026, the Court had directed the *corpus* to be produced before the Court. She has been brought before the Court by the Constable Police Kavita from Police Station Bahadrabad, District Haridwar. On being asked, Himanshi Singh reveals that she is post graduate in Geography; she married the petitioner on 15.04.2026; on 17.04.2026 also, she had appeared in this Court. According to her, her marriage with the petitioner was willingly done, but she was taken by the private respondents on 21.04.2026 from Laksar, and they are not allowing her to go to her husband, the petitioner. According to her, her Uncle Pintu is stopping her to join the company of the petitioner. Himanshi Singh categorically tells that she wants to go with her husband, the petitioner. According to Himanshi Singh, her date of birth is 22.10.2003.

6. Himanshi Singh is a major. According to her, she and the petitioner both are married and she wants to join the company of her husband, the petitioner. Therefore, she is free to go wherever she wants to go.

7. The *habeas corpus* petition, as such, stands disposed of, accordingly.

8. The SSP, Haridwar, shall still ensure further assess the threat perception to the petitioner and Himanshi Singh, and if required, adequate protection is provided to them.

9. On behalf of the petitioner, it is submitted that the petitioner and Himanshi Singh both will go to Haridwar from here.

10. The SSP, Haridwar, shall ensure granting protection to the petitioner and Himanshi Singh from here (Nainital) till they reach their destination at Haridwar.

11. In the first petition, on 17.04.2026, this Court had directed the Senior Superintendant of Police, Haridwar ("SSP"), to make assessment of threat perception, and if any threat is perceived, to take appropriate steps.

12. In the instant petition, allegations have been levelled against the police of District Haridwar that they had facilitated the removal of the corpus of Himanshi Singh from Laksar to the State of Uttar Pradesh. Therefore, let the SSP, Haridwar, submit a report as to under what circumstances the order dated 17.04.2026, passed in the first petition by this Court, has been defied by him, and why action be not taken against him?

13. There are also allegations of demand of Rs.20,000/- by the police, which, according to the petitioner, was transferred through UPI.

14. The SSP, Haridwar, shall also examine that aspect as to who had demanded this money. If required, he may get a preliminary investigation done in the matter. For this purpose, the SSP, Haridwar, shall submit a report on or before 12.06.2026.

15. List this matter on 15.06.2026, as the first case.

(Siddhartha Sah, J.)

(Ravindra Maithani, J.)

18.05.2026

Ravi Bisht