

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL
Habeas Corpus Petition No.15 of 2026

Rohan Kumar

..... Petitioner

Vs.

State of Uttarakhand

..... Respondent

Present:

Mr. Nalin Saun, Advocate for the appellant.

Mr. J.S. Virk, A.A.G. with Mr. Deepak Bhardwaj, Brief Holder for the State of Uttarakhand.

Mr. Karan Anand, Advocate for the respondent no.4.

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

Hon'ble Ravindra Maithani, J. (Oral)

In this *habeas corpus* petition, the petitioner seeks *corpus* of Ms. Anshika Sharma.

2. It is the case of the petitioner that she and the *corpus* Ms. Anshika Sharma are old acquaintance; they are in romantic relationship; the *corpus* Ms. Anshika Sharma wanted to marry the petitioner, but her father, who is the respondent no.4, and other family members are not agreeable to it and they have denied for it. It is the case of the petitioner that the date of birth of the petitioner is 06.05.2005, and that of the *corpus* Ms. Anshika Sharma is 13.06.2007; they both are major. The petitioner has attached documents with regard to their date of birth.

3. It is further the case of the petitioner that the family members of the *corpus* Ms. Anshika Sharma are pressurising her for marriage with some other person, and they had warned the *corpus* not to retain any relationship with the petitioner.

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

5. On 25.05.2026, this Court had directed the *corpus* to appear before the Court. Today, the *corpus* has been produced

before us by SI Satish Singh, and Lady Police Constable Nikita from Police Station Vasant Vihar.

6. The Court interacted with the *corpus*. She has revealed that she is 18 years of age; she is a student and pursuing her graduation in Commerce; she is the daughter of Rakesh Sharma, and is staying with her father at 11/12 Vijay Park, Dehradun. According to her, she has been forcibly detained by her father in her father's house; she wants to go with the petitioner, who is the son of Aklu Sahani. According to her, her father and uncle used to abuse her whenever they drink.

7. At it, learned counsel for the respondent no.4 submits that the statement of the corpus is quite contradictory to what she has stated under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023; in fact, the corpus has taken money and jewellery from her home. Interrupting to it, the *corpus* Ms. Anshika Sharma speaks that there are multiple cases against her. At one moment, she wanted to commit suicide. She denies the allegations of taking cash and jewellery.

8. According to the petitioner, he and the *corpus* Ms. Anshika Sharma are in romantic relationship; the *corpus* Ms. Anshika Sharma is major; she is pursuing her graduation; the corpus Ms. Anshika Sharma has a right to go wherever she wants to go. Therefore, the *corpus* Ms. Anshika Sharma is free to go wherever she wants to go. The corpus has expressed to stay with the petitioner Rohan Kumar. The *corpus* Ms. Anshika Sharma is free to do so. The *habeas corpus* petition may be decided accordingly.

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

10. At this stage, learned counsel for the petitioner submits that the petitioner is not present today.

11. Learned State Counsel has suggested that today the *corpus* has been brought before the Court by police from Police Station Vasant Vihar, District Dehradun. They may be directed to take care of the *corpus* Ms. Anshika Sharma, and escort her at a place where she wants to go in Dehradun.

12. The Police Officers, who have escorted the *corpus* Ms. Anshika Sharma, shall ensure safe journey of the *corpus* Anshika Sharma till she reaches the petitioner Rohan Kumar. The Court also requests the Senior Superintendant of Police, Dehradun, to assess the threat perception of the petitioner as well as the *corpus* Ms. Anshika Sharma, and if required, adequate protection may be provided to them.

(Siddhartha Sah, J.)

(Ravindra Maithani, J.)

26.05.2026

Ravi Bisht