HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW

HABEAS CORPUS WRIT PETITION No. - 227 of 2026

Rishi Thru. Their Father Narendra Kumar Kapil @ Narendra Kumar And Another
.....Petitioner(s)

Versus

Anil Kumar Kapadia And 3 Others
.....Respondent(s)

Counsel for Petitioner(s) : Shiva Nand Pandey, Pooja Dubey
Counsel for Respondent(s) :

Court No. - 12

HON'BLE RAM MANOHAR NARAYAN MISHRA, J.

1. Heard learned counsel for the petitioners, learned A.G.A. for the State and perused the record.

2. Instant Habeas Corpus petition has been filed by the deponent on behalf of the petitioners/ corpus with the prayer to release them from custody of respondent nos. 1 and 2, who are maternal grandparents of the children/ corpus. His further prayer is to issue directions to produce them before the court.

3. Learned A.G.A. submitted that as per instructions received, the respondent no. 1, who is maternal grandfather of both the corpus, has given a written report to SHO concerned that due to matrimonial discord from her husband/ deponent, Narendra Kumar Kapil @ Narendra Kumar, his daughter, Jaya Kapadia, took shelter at his home alongwith two minor children. He lodged an FIR vide Case Crime No. 380 of 2020, under Sections 498A, 323, 504, 506 IPC and Section 3/4 D.P. Act against her husband which is pending before the court. His daughter has also filed a suit for divorce against her husband which is also pending. In as much as the mother of the children, Mrs. Jaya Kapadia, has also filed a written report against in this regard, wherein she has stated that she is residing at her parental place alongwith her children out of her own choice.

4. Issue notice to respondent nos.1 and 2 which shall be served through C.J.M. concerned, returnable at an early date.

5. Steps within a week.

6. List on 24.07.2026, as fresh.

7. Counter affidavit/ Objection, if any, be filed by the next date.

(Ram Manohar Narayan Mishra,J.)

June 15, 2026
Mohd. Sharif

Digitally signed by :-
MOHAMMAD SHARIF
High Court of Judicature at Allahabad,
Lucknow Bench