IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/SPECIAL CRIMINAL APPLICATION (HABEAS CORPUS) NO. 15387 of 2026

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SMIT YOGESHBHAI PATEL

Versus

STATE OF GUJARAT & ORS.

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Appearance:
ANKIT M MODI(7418) for the Applicant(s) No. 1
MR KISHAN R CHAKWAWALA(9846) for the Applicant(s) No. 1
MS MONALI BHATT, APP for the Respondent(s) No. 1

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CORAM: **HONOURABLE MR. JUSTICE BHARGAV D. KARIA**
and
HONOURABLE MR. JUSTICE HEMANT M. PRACHCHHAK

Date : 26/10/2026

ORAL ORDER

(PER : HONOURABLE MR. JUSTICE BHARGAV D. KARIA)

1. Heard learned advocate Mr. Ankit Modi with learned advocate Mr. Kishan Chakwawala for the petitioner, learned Additional Public Prosecutor Ms. Monali Bhatt for the respondent State and learned advocate Mr. Devansh Kakkad for learned advocate Mr. Anik Timbalia for or respondent no.8 – Corpus.

2. Issue notice returnable forthwith. Learned Additional Public Prosecutor Ms. Monali Bhatt waives service of notice on behalf of the respondent State and learned advocate Mr. Devansh Kakkad waives service of notice on behalf of respondent no.8 – Corpus.

3. Respondent State has produced respondent no.8-corpus before us. Petitioner- Smit Yogeshbhai Patel, respondent no.7- Rahul Dangar, mother of the Corpus-Satiben Dangar and sister of Corpus-Jayshreeben Dangar who is serving in Bhuj "A" Division police station are also present in person in the chamber. Respondent no.6 – Devayatbhai Dangar- father of the Corpus is not present.

4. By this petition under Article 226 of the Constitution of India, the petitioner who is husband of respondent no.8- Bhumika has made following prayers:

> "b. To issue a Writ of Habeas Corpus or any other appropriate writ, order, or direction commanding Respondent Nos. 2, 3, 4, and 5

to produce the corpus, namely Smt. Bhumika, before this Hon'ble Court from the illegal confinement of Respondent Nos. 6 and 7;

c. To record the voluntary and independent statement of the corpus, Smt. Bhumika, in a secure and fearless environment, and set her at liberty forthwith to enable her to reside and cohabit with the Petitioner as per her own independent will and choice and to direct Respondent Nos. 1 to 5 to provide immediate, adequate, and round- the-clock police protection to the Petitioner, the corpus (Smt. Bhumika), and their family members against any threats, violence, or honour-related offenses from Respondent Nos. 6 and 7 and their associates;"

5. We have deliberated with the corpus who is wife of the petitioner-Smit Patel and is aged about 23 years. We have also interacted with petitioner Smit Patel, respondent no .7 -Rahul Danger who is brother of Corpus, sister of Corpus-Jayshreeben Dangar and Ms. Satiben Dangar who is mother of the Corpus.

6. It is alleged in the petition that Corpus who is wife of petitioner was illegally detained by respondent nos.6 and 7 father and brother of the corpus respectively.

7. On deliberation with the Corpus, she has stated that she would like to go with her husband Smit Patel.

8. In view of the willingness of the Corpus Bhumika to go with her husband petitioner-Smit Patel, in the interest of justice, the following order is passed:

1) Corpus is permitted to go along with the petitioner-Smit Patel to her matrimonial house.

2) We direct Sola High Court Police station to escort the Corpus to her matrimonial home.

3) We direct respondent no.4- the Superintendent of Polic (SP), Anand to see that respondent nos.6 and 7 and more particularly, wife of respondent no.6 – Satiben Dangar or her accomplice does not affect safety and security of the Corpus and respondent no.4 to further direct respondent no.2- the Police Inspector

Khambhat City Police station to provide security to the Corpus against the threat expressed before us to the life of the Corpus.

9. We disposed of this petition in above terms.

Copy of this order may be made available to learned APP Ms. Monali Bhatt.

(BHARGAV D. KARIA, J)

(HEMANT M. PRACHCHHAK,J)

RAGHUNATH R NAIR

Original copy of this order has been signed by the Hon'ble Judges.
Digitally signed by: RAGHUNATH RAVINDRANATHAN NAIR(HC00196), PRINCIPAL PRIVATE SECRETARY, at High Court of Gujarat on 26/10/2026 14:35:36