IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/SPECIAL CRIMINAL APPLICATION (HABEAS CORPUS) NO. 15596 of 2026

==========

YUNUSMOHAMAD SAFIMAHAMAD MAKRANI

Versus

STATE OF GUJARAT & ORS.

==========

Appearance:
FOUZAN N SONIWALA(8442) for the Applicant(s) No. 1
DS AFF.NOT FILED (N) for the Respondent(s) No. 2,3,4
MR DHAWAN JAYSWAL, APP for the Respondent(s) No. 1

==========

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

Date : 06/11/2026

ORAL ORDER

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

1. Heard learned advocate Mr. Fouzan N. Soniwala for the petitioner and learned Additional Public Prosecutor Mr. Dhawan Jayswal for the respondent State.

2. This Court by order dated 3.11.2026 directed respondent no.2 to find out the corpus. Pursuant to such order, Corpus-Alfisabanu is produced before us today.

3. In-camera proceedings were conducted in presence of the Corpus-Alfisabanu, petitioner -Yunusmohamad Safimahamad Makrani who is father of Corpus and uncle-

Rafikbhai.

4. Learned advocate Mr. Soniwala for the petitioner has tendered the copies of Birth Certificate and School Leaving Certificate of the corpus-Alfisabanu which is ordered to be taken on record. According to the Birth Certificate, date of birth of corpus-Alfisabanu is 26.02.2010. Copy of Birth Certificate is also verified by learned APP Mr. Dhawan Jayswal from the police papers. As per such documents, corpus- Alfisabanu is less than 18 years as on today.

5. After deliberation with Corpus-Alfisabanu and the relatives present before us, Corpus-Alfisabanu has shown willingness to go with her father. Corpus also expressed her apprehension about ill-treatment from the father.

6. In response to such apprehension, father has tendered affidavit in vernacular language i.e. Gujarati that he will not cause any harm to the Corpus and shall take care of her. Such affidavit is taken on record.

7. In view of above, we disposed of this petition by permitting the Corpus-Alfisabanu to accompany her father i.e. petitioner herein. Notice is discharged.

(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 06/11/2026 14:53:01