

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

2026 P.H.C. 051842



(136)

CRWP-5103-2023

Dilip Kumar

.....Petitioner(s)

Versus

State of Haryana and others

.....Respondent(s)

Decided on : 06.04.2026

Date of uploading: 06.04.2026

CORAM : HON'BLE MR.JUSTICE SUMEET GOEL

Present: Mr. Rajesh Bansal, Advocate for the petitioner (s).

Ms. Priyanka Sadar, Sr. DAG, Haryana.

Mr. Ravi Kamal Gupta, Special Public Prosecutor
for the respondent-CBI.

Sumeet Goel, J. (Oral):

1. The substantive prayer made in the instant petition reads thus:

“i) Issue a writ in the nature of Habeas Corpus directing the official respondents to recover the sons (Vishal Rathor aged 17 years and Aditya Rathor aged 15 years) of the petitioner, from the illegal custody of the kidnappers, in the interest of justice.

ii) It is further prayed that life and liberty of the petitioner and his family members may kindly be protected as the kidnappers become inimical to the petitioner and they could cause any harm to the petitioner, his family members and both the sons (detenues) who are in the illegal custody of the kidnappers, in the interest of justice.

iii) Further for issuance of a writ, order or direction especially in the nature of mandamus for transfer of investigation of FIR No.0029 dated 18.01.2023 (Annexure P-2) under Section 365 of Indian Penal Code, 1860, Police Station Old Industrial Panipat, District Panipat to respondent No.6/Central Bureau of Investigation or to any other independent agency, in the interest of justice.”

2. Various status reports/replies have been filed by the State, the latest being one dated 30.03.2026. This Court has perused the said status report, relevant whereof reads thus:

*“3. **Registration of FIR and Initial Investigation:-** That on 18.01.2023, FIR No. 29 under Section 365 IPC was promptly registered on the complaint of the petitioner. During the initial investigative efforts included a comprehensive review of CCTV footage showed both children leaving unattended. Local inquiries and searches were conducted and missing persons alerts were circulated widely through multiple search channels.*

*4. **Ransom Call Angle:-** That on 14.02.2023, call for ransom demands amounting Rs. 4 lakhs were received by the complainant. Technical analysis traced these calls to server-based routed numbers leading to the identification of individuals operating illicit illegal call routing systems.*

*5. **Arrest of Accused Persons:-** That during investigation, three accused were arrested in the case i.e. (i) Accused Nitin was arrested on 06.03.2023, (ii) Accused Ashutosh Bora was arrested on 24.05.2023 and (iii) Accused Sonu was arrested on 02.08.2023. Consequently, Sections 387 IPC and 120-B OTARY PC were invoked in the case considering the nature of crime. However, during investigation by SIT, it was found that the accused persons were involved in making fraudulent ransom calls for extortion, but no evidence surfaced connecting them with the actual disappearance of the children. True Copy of disclosure statements of accused Nitin, Ashutosh and Sonu are annexed herewith as Annexure R-1 to Annexure R-3.*

*6. **Scientific and Technical Analysis:-** That during investigation, Servers and SSDs were seized from Sifi Data Centre, Noida and they were forwarded to CFSL, Panchkula. However, as per report dated 16.05.2025, no relevant data could be retrieved. True Copy of CFL Report is annexed herewith as Annexure R-4.*

*7. **SIT Investigation:-** That the investigation was transferred to the Anti Human Trafficking Unit, State Crime Branch, Haryana, and a Special Investigation Team (SIT) was constituted. The SIT explored all possible angles including: financial analysis to detect any transactional activity of the missing persons (which yielded no result), examination of social media platforms and digital footprints (which did not reveal any actionable lead), coordination with police authorities across the*

country, search through the ZIPNET database, verification of unidentified dead bodies and institutional records, as well as inquiries from previous employers and associates of the missing children across various States. Despite undertaking the aforesaid extensive and multi-pronged efforts, no credible clue or information regarding the whereabouts of the missing children could be ascertained till date.

8. Extensive Field Investigation:- That during the course of investigation, extensive search operations have been conducted at multiple locations across various States, including Haryana, Delhi, Rajasthan, Uttarakhand, Bengaluru (Karnataka), Ahmedabad (Gujarat), and Bikaner (Rajasthan). That, in addition thereto, thorough inquiries were made at public hubs, industrial units/factories, railway stations, bus stands, canal areas, and other possible locations, and local persons were examined by showing photographs and particulars of the missing children. However, despite undertaking such wide-ranging and sustained efforts, no credible information or clue could be found regarding the whereabouts of the missing children.

9 Latest Investigation:- That fresh searches were conducted through ZIPNET, SCRIB, and NCRB databases, and missing posters along with photographs and details of the children were re-circulated in Panipat, Sonipat, Delhi, and Haridwar. Further, inquiries were conducted from local vendors, labourers, and child care institutions/shelters to gather any possible information regarding the whereabouts of the missing children.

10. Polygraph Proceedings:- That an application for polygraph test of the accused was dismissed by the Ld. ACJM, Panipat on 06.09.2025, Aggrieved by the aforesaid order. the State has preferred a Criminal Revision petition, before the Ld. Additional Session Judge, Panipat, which is presently pending adjudication for 02.07.2026. It is pertinent to mention here that Ld. Court have been issued bailable warrants for the accused persons namely Nitin S/o Ramnivas, Ashutosh Bora S/o Narender Singh and Sonu S/o Sh. Chaman Lal vide order dated 24.03.2026. True Copy of order dated 24.03.2026 is annexed herewith as Annexure R-5.

11. Present Status of Investigation:- That the investigation in the present case is still in progress. The challan has not been presented before the learned Court, as the principal aspect of the case, i.e., tracing and recovery of the missing children, remains unresolved. All the accused persons arrested in connection with the case are presently on bail. However, no incriminating evidence has surfaced so far to

establish the involvement of any of the arrested accused in the disappearance of the missing children.

*12. **Efforts by Police:-** That the Haryana Police has undertaken all necessary and exhaustive steps in accordance with the Standard Operating Procedures (SOPs) for investigation of missing children cases, including technical investigation, field verification, inter-State coordination, and public awareness through wide circulation of information. The matter was continuously monitored at the senior officer level, and sustained efforts are being made to trace out the missing children.*

13 That in view of the aforesaid facts and circumstances, it is most respectfully submitted that no lapse or negligence has been committed by the investigating agency in conducting the investigation. All possible angles have been thoroughly examined and explored in a diligent and professional manner. That the investigation is still in progress, and earnest efforts are continuously being made to trace the missing children and bring the matter to its logical conclusion.”

3. Having heard learned counsel for the rival parties and upon perusal of the record, this Court does not find any fault or anything wanting in the investigation carried out by the Haryana Police. In the peculiar factual milieu of the case in hand, no case is made out to hand-over the investigation of the FIR in question to CBI.

4. Accordingly, the present petition is disposed of, at this stage. It is expected that the State police shall make earnest endeavor to conclude the investigation qua the FIR in question in a pragmatic manner.

April 06, 2026
Naveen

(SUMEET GOEL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No