



\$~4 (03.03.2026)

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 401/2026**
MUMTAZA BANO & ANR.

.....Petitioners

Through: Mr.Mushtaq Ahmad Mir, Adv.

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr.Sanjay Lao, Standing
Counsel (Crl.) with Mr.Aryan
Sachdeva, Adv.
SI Vipul Tomar, PS-Nabi
Karim.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

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25.04.2026

1. Though this matter was listed on 03.03.2026, in terms of Circular No. 64/G-4/Genl.-I/DHC dated 27.02.2026, the same has been listed today.
2. The present Writ Petition has been filed under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking issuance of a Writ in the nature of Habeas Corpus, directing production of Mr.Shabir Ahmed Shah, aged about 35 years, who is said to be missing since 16.02.2025.
3. In the petition, it is alleged that the petitioners apprehend that he



is in illegal detention.

4. Pursuant to notice issued on the petition, Status Report dated 03.02.2026 was filed by the Police. Today, the learned Standing Counsel for the State has handed over a further Status Report dated 20.04.2026. The same is taken on record.

5. The Status Reports detail the efforts made to trace Mr. Shabir Ahmed Shah, which include making inquiries from 137 Police Stations across Delhi-NCR including Ghaziabad, Meerut, Karnal, Panipat, Jhajjar, Baghpat, Gurugram, Gautam Budh Nagar. Inquiries have also been made from Director/CBI, Director/NCRB, SCRB, etc., who have all responded in the negative of Mr. Shabir Ahmed Shah being in their custody. The other steps taken include making inquiries from the persons with whom, according to the petitioners, Mr. Shabir Ahmed Shah was last in contact with. The CCTV footages of multiple areas have also been perused and various other leads have been followed up. However, despite all best efforts no trace of the missing person has been found.

6. Though the learned counsel for the petitioners insist that the petitioners apprehend that Mr. Shabir Ahmed Shah is in illegal detention, however, given the Status Reports, we do not have the enough material to find even *prima facie* merit in the said submission.

7. Accordingly, we dispose of the present petition by directing the respondents to register an FIR under the appropriate provisions of law. The respondents shall file quarterly Status Reports before the learned Magistrate of the efforts made to trace out the missing person. In such proceedings, the petitioners shall be entitled to join.



8. The petition is disposed of in the above terms.

NAVIN CHAWLA, J

RAVINDER DUDEJA, J

APRIL 25, 2026/Arya/ik