HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR

D.B. Habeas Corpus Petition No. 467/2026
CNR: RJHC010762092026 | URN: HC / 736U / 2026

Padam Singh S/o Shri Bhanwar Singh, Aged About 65 Years, Resident Of Hanuwant Nagar, Tehsil Shergarh, District Jodhpur Raj.

----Petitioner

Versus

1. State Of Rajasthan, Through The Secretary, Department Of home Affairs, Government Of Rajasthan, Secretariat, Jaipur Raj.
2. The Director General Of Rajasthan, Rajasthan Police Headquarters, Jaipur Raj.
3. The Inspector General Of Police, Jodhpur Range Jodhpur Raj.
4. The Superintendent Of Police, Jodhpur
5. The Station House Officer, Police Station Shergarh, District Jodhpur Raj.
6. Gopal Singh S/o Shri Aaidan Singh, Resident Of Village Balesar Satta, Police Station Balesar, District Jodhpur Raj.
7. Jitu Singh S/o Shri Gopal Singh, Resident Of Village Balesarsatta, Police Station Balesar, District Jodhpur Raj.
8. Mangu Singh S/o Shri Sumer Singh, Resident Of Villagesekhala, Police Station Shergarh, District Jodhpur Raj.
9. Usha Kanwar Spouse/o Shri Gopal Singh, Resident Of Village Balesar Satta, Police Station Balesar, District Jodhpur Raj.
10. Deepu Kanwar Urf Tipu Spouse/o Shri Lal Singh, Resident Ofvillage Gada, Police Station Shergarh, District Jodhpur Raj.

----Respondents

For Petitioner(s)	:	Mr. Hanuman Singh Bhati
For Respondent(s)	:	Mr. Deepak Chowdhary, AAG with Mr. K.S. Kumpawat Mr. Mahaveer Singh Mr. Ranidan Singh, ASI, P.S. Shergarh, District Jodhpur.

HON'BLE MR. JUSTICE VINIT KUMAR MATHUR
HON'BLE MR. JUSTICE BHUWAN GOYAL

Order

10/08/2026

1. Heard learned counsel for the parties.

2. The present writ petition has been filed by the petitioner, claiming himself to be the nephew of corpus Shri Balwant Singh, who is 86 years old person. It is stated that he has been forcefully detained by the private respondents and in pursuance of the directions issued by this Court, corpus Balwant Singh, has been produced before us.

3. We have conferred with the corpus. He is an old man of 86 years and clearly incapable of making statement. The corpus, however, conveyed to us that that the private respondents has forcibly taken him away from the petitioner and he has expressed his desire to live with the present petitioner only.

4. The learned counsel for the respondents submits that respondents No.9 and 10 are the daughters of the corpus Balwant Singh and are capable of taking care of their father. However, they are not allowed to meet with their father by the petitioner.

5. Learned counsel for the petitioner submits that there is no impediment to meet Balwant Singh and they have never created any hurdle for the private respondents to meet their father. He undertakes that as and when the respondents No.9 and 10 desire to meet their father, they will be free to meet and interact him.

6. We have considered the statements made before us. We feel that the corpus Balwant Singh is an old man of 86 years and is having some land in his share and the real cause of dispute

between the parties appears to be his share in the land and the amount of pension, which is being received by him. However, Balwant Singh has expressed his desire to live with the present petitioner, therefore, we direct the Investigating Agency to see to it that Balwant Singh is taken to the place of his choice safely. It is made clear that if the respondents No.9 and 10 come to meet their father Balwant Singh, no impediment shall be created by the petitioner.

7. The amount of Rs.50,000/- deposited under the directions of this Court, is directed to be refunded to the petitioner forthwith.

8. The habeas corpus petition is disposed of accordingly.

(BHUWAN GOYAL),J **(VINIT KUMAR MATHUR),J**

37/Ishan Dixit