2026:AHC:212432-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD

HABEAS CORPUS WRIT PETITION No. - 1449 of 2026

Gyanti Devi And 2 Others

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s) : Awadhesh Kumar
Counsel for Respondent(s) : G.A.

Court No. - 42

HON'BLE ATUL SREEDHARAN, J.
HON'BLE ACHAL SACHDEV, J.

1. Heard learned counsel for the petitioners and learned counsel for the State.

2. The present petition has been filed by the petitioner no.1 who is the mother of the petitioner no.2 and stated to be mother-in-law of the petitioner no.3.

3. Learned counsel for the petitioners says that the petitioner nos.2 and 3 have carried out an inter-caste marriage which is not liking to the father of the petitioner no.3 who belongs to an upper caste. He further says that the father of the petitioner no.3 in connivance with the police picked up the couple from Pune on 24.08.2026 and brought them to Police Station Salempur, District Deoria on 27.08.2026 in the night where the petitioner no.2 was allegedly kept in unlawful detention from 29.08.2026 and his formal arrest was shown on 02.09.2026 and he was produced before the learned Magistrate for remand on 02.09.2026.

4. The prayers in the present petition are twofold. One is

in relation to the release of the petitioner no.2 and his production before this Court on account of the alleged unlawful detention in subsequent to the arrest by the police and the release of the petitioner no.3 from Nari Niketan, Deoria. The second is in relation to the grant of compensation for unlawful arrest.

5. Under the circumstances, the State is requested to file its counter affidavit within a period of two weeks. The State shall also produce the CCTV recording of Police Station Salempur, District Deoria for the duration from 6:00 pm on 27.08.2026 till 10:00 pm on 02.09.2026, on the next date of hearing. Any averments in the counter affidavit that CCTV cameras were non-functional during the said period, would give the liberty to this Court to apply Section 114 (g) of the Evidence Act which corresponds to Section 119 (g) of the Bharatiya Sakshya Adhiniyam against the State.

6. Put up this case on 23.10.2026 as fresh.

October 9, 2026
rkg

(Achal Sachdev,J.) (Atul Sreedharan,J.)

Digitally signed by :-
RAKESH KUMAR GAUTAM
High Court of Judicature at Allahabad