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WP-12731-2026

IN THE HIGH COURT OF MADHYA PRADESH
AT GWALIOR

BEFORE

HON'BLE SHRI JUSTICE G. S. AHLUWALIA

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HON'BLE SMT. JUSTICE ANURADHA SHUKLA

ON THE 18th OF AUGUST, 2026WRIT PETITION No. 12731 of 2026*SHELENDRA KUMAR UPADHYAY**Versus**THE STATE OF MADHYA PRADESH AND OTHERS*

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Appearance:

*Shri Harshit Sharma - Advocate for the petitioner.**Shri C.P.Singh - Govt. Advocate for the State.**Shri Praveen Kumar Newaskar - Deputy Solicitor General for respondent No.5.**Shri B.S.Gour - Advocate for the Intervener.*
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ORDER

Per. Justice Anuradha Shukla

This writ petition under Article 226 of Constitution of India has been filed in the nature of Habeas Corpus for recovery of corpus from the illegal detention of respondent No.4. Corpus in this case is the major daughter of the petitioner.

2. A missing person report was lodged by petitioner on 29.04.2025, informing that his 19 years 8 months' old daughter Dolly, who was residing in Morar at her relative's house, left for her college on 28.04.2025 at around 8:30 AM, but did not return home in the evening. On being informed about her going missing, the petitioner along with his relatives, searched for the corpus on all possible places, but she could not be traced. Therefore, on



29.04.2025, a missing person report was lodged. It is claimed in the petition that no attempts were made by the police to trace out the corpus. Therefore, petitioner was compelled to file the present petition on 07.04.2026 for the production of corpus.

3 . The matter was taken up by this Court on 08.04.2026 and a direction was given to to the State to file the status report and also to make an attempt to retrieve the corpus. The case was thereafter taken up at regular intervals keeping a keen eye on the inquiry. However, the corpus is still untraceable.

4 . A status report under Document No.13469/2026, supported with affidavit, has been filed today on the record to show that search has been undertaken far and wide, across the country to find out the whereabouts of corpus and also of respondent No.4. Further, the data recovery report has also been received from Cyber Forensic Unit, the bank authorities and other sources. It is submitted that despite having made these diligent efforts, the corpus has not been traced yet, however, efforts are still going on.

5. Petitioner has filed Annexure P/4, which is a missing person report regarding respondent No.4, who too is not in contact with his family since April 2025. The status report filed earlier shows that equal efforts are being made to search the whereabouts of respondent No.4. Earlier status report also confirms that Crime No.356/2026 has already been registered in Police Station Morar, District Gwalior against respondent No.4 and others concerning the missing corpus and the investigation is going on.

6. On taking stock of all these facts and also the status report placed



today on record we are convinced that the matter is being seriously investigated by the police authorities but we know the limits of local police when the scope of investigation extends to different cities across the country. The angle of illegal human trafficking is also being suspected in this case. The corpus is missing since April 2025 and there are no clues whatsoever regarding her whereabouts. The agony and anxiety of the petitioner, who is father of the corpus, can also be understood. We are aware that the extraordinary measures like handing over the investigation to an agency like CBI should not be easily invoked. Nevertheless, it cannot be ignored that the local police despite their best efforts is still clueless in the case.

7 . In crimes involving multi-states criminal syndicate, local police howsoever active, honest and vigilant it may be, has its own jurisdictional limits, which makes inter-state tracking highly difficult. Therefore, without recording any dissatisfaction on the investigation conducted by the local police, this Court considers it necessary to hand over the investigation of Crime No.356/2026 registered in Police Station Morar, District Gwalior to CBI, so that this centralized agency may seamlessly track the suspects across the nation and conduct an efficient investigation.

8. We, accordingly, direct the Town Inspector Police Station, Morar, District Gwalior to hand over the case diary of Crime No.356/2026 registered in Police Station Morar, District Gwalior, to CBI for the purpose of investigation. The Principal Registrar of this Court shall communicate a copy of this order forthwith to the Director, CBI. The Investigating Officer on behalf of CBI shall proceed forthwith, without any loss of time, to



investigate the crime.

9 . We hope the investigation to be accomplished, accompanied by results, with reasonable expedition and dispatch. Case diary of Crime No.356/2026 be returned to the Govt. Advocate.

10. With the aforesaid, petition stands **disposed of**.

(G. S. AHLUWALIA)
JUDGE

(ANURADHA SHUKLA)
JUDGE

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