



HIGH COURT OF JUDICATURE AT ALLAHABAD

HABEAS CORPUS WRIT PETITION No. - 1307 of 2026

Ayush Malik And Another

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	: Deepak Singh, Mohammad Khalid, Umar Khalid
Counsel for Respondent(s)	: G.A.

Court No. - 73

HON'BLE SANDEEP JAIN, J.

Learned counsel for the petitioner submits that the corpus, Ayush Malik, aged about 31 years, has, of his own free will and volition, renounced Hinduism and embraced Islam without any coercion, undue influence or inducement. He further submits that, thereafter, the corpus solemnized marriage with Chandni Qureshi against the wishes of his father, opposite party No.4, Devraj Singh Malik.

It is further submitted that, aggrieved by the aforesaid conduct of the corpus, opposite party No.4 lodged a false and motivated First Information Report dated 06.06.2026, being Case Crime No. 241 of 2026, under Sections 5(1) and 3 of the Uttar Pradesh Prohibition of Unlawful Conversion of Religion Act, 2021 and Sections 308(5), 351(3), 61(2), 338, 336(3) and 318(4) of the Bharatiya Nyaya Sanhita, at Police Station Shamli, District Shamli, against the wife of the corpus and her relatives.

Learned counsel for the petitioner further submits that, in collusion and connivance with opposite party No.4, the State authorities and their functionaries have facilitated the illegal detention of the corpus at the instance of opposite party No.4. It is submitted that the corpus has been unlawfully deprived of his personal liberty and is being kept in the illegal custody of opposite party No.4 with the active assistance of the State machinery, which, according to learned counsel, is borne out from the documents annexed with the writ petition.

It is also submitted that the petitioner, Sultan, is a friend of the corpus and that the corpus had approached the petitioner seeking his assistance for securing his release from the alleged illegal detention of opposite party No.4 and the State authorities.

I have heard learned counsel for the petitioner and perused the material brought on record.

From a perusal of the documents annexed with the writ petition, it prima facie appears that the corpus, Ayush Malik, has voluntarily renounced Hinduism and embraced Islam and, thereafter, solemnized marriage with Chandni Qureshi against the wishes of his father, opposite party No.4. It further

appears that, consequent upon the aforesaid acts of the corpus, opposite party No.4 lodged an FIR, being Case Crime No. 241 of 2026 dated 06.06.2026, under Sections 5(1) and 3 of the Uttar Pradesh Prohibition of Unlawful Conversion of Religion Act, 2021 and Sections 308(5), 351(3), 61(2), 338, 336(3) and 318(4) of the Bharatiya Nyaya Sanhita, at Police Station Shamli, District Shamli, against the wife of the corpus and her relatives.

The allegations made by learned counsel for the petitioner regarding the alleged illegal detention of the corpus and the purported involvement of the State authorities and their functionaries in facilitating such detention are serious in nature and, therefore, warrant immediate consideration by this Court.

In the circumstances, let notice be issued to the respondent No4.

Steps shall be taken within three days.

The State authorities as well as opposite party No.4 are directed to ensure the production of the corpus, Ayush Malik, before this Court on 16.09.2026.

In the event the corpus is not produced on the date fixed, respondent Nos. 2 and 3 shall file their respective personal affidavits disclosing the reasons for non-production of the corpus and the steps taken by them to secure his production.

List as fresh on 16.09.2026.

September 9, 2026

Himanshu

(Sandeep Jain,J.)