

Chandramuni Urain... ... **Petitioner**
 Versus
 Director General of Police, Jharkhand & Ors.
 **Respondents**

For the Petitioner : Mr. Shashank Shekhar No.3, Advocate
For the State : Mr. Srikant Swaroop, AC to AAG II
For the UIDAI : Mr. Prashant Pallav, ASGI

1. Reference may be made to order dated 11th February, 2026, by which we have passed following order:

5. The Sub-Divisional Police Officer, Gumla has stated that since he is heading the S.I.T and, as such, all endeavours are being taken to trace out the victim girl. It has been stated that now the clues being sought to be found by getting the details of the Aadhar Card

so that any further inputs based upon the details of the Aadhar Card, i.e., any bank account etc. would be found out which will ease the issue of tracing out the victim. It has been stated by him that for the aforesaid purpose a requisition has been made to the Additional Director General, UIDAI to furnish the details of the Aadhar Card for the aforesaid purpose, but as yet no response has been received.

6.This Court considering the nature of the issue involved in the present case which pertains to the issue of trafficking of the minor girl child at the time of trafficking, now she is reported to be aged about 21 years and, as such, this Court thought it proper to request Mr. Prashant Pallav, the learned ASGI to get input from the concerned authority of UIDAI.

7.Mr. Prashant Pallav, the learned ASGI has appeared and has submitted that better would be to implead the Director, UIDAI as a party-respondent in the present proceeding.

8.This Court, considering the aforesaid submission, has thought it proper to implead the Director, UIDAI as a party-respondent.

9.Let the Director, UIDAI be impleaded as respondent no.6 in the present proceeding.

10.The learned counsel appearing for the writ petitioner is directed to make necessary impleadment/addition in the memo of the writ petition in course of the day.

11.Mr. Prashant Pallav, the learned ASGI waives notice on behalf of the newly impleaded respondent no.6.

12.The learned ASGI has submitted that if the copy of the application/requisition will be served to him which has been made by the Sub-Divisional Police Officer, Gumla to the Additional Director General, UIDAI, then he can have the input from the concerned authority.

13.The learned ASGI has also submitted that on earlier occasion also the order has been passed by this Court in the identical matter being Criminal Appeal (DB) No.736 of 2023, for ready reference paragraph-32 of the order dated 24.02.2025 passed in Criminal Appeal (DB) No.736 of 2023 is being quoted hereunder as:

“32. Since we have already expressed our view that law is for doing substantive justice and we are dealing with the issue of the victim who has not been traced out having been traceless since

sometime in the year 2014 and, as such, for the purpose of doing substantive justice towards the parents, more particularly, the victim who is traceless for more than a decade, this Court is of the view that the power which is to be exercised by the High Court as provided under Section 33(1) of the Act, 2016 is required to be exercised.”

14.This Court considering the nature of seriousness of the issue involved in the present case is hereby directed the learned ASGI to call upon a report from the Director, UIDAI with respect to the fate of the application made by the Sub-Divisional Police Officer, Gumla dated 06.02.2026.

15.The Sub-Divisional Police Officer, Gumla has stated that at present he is not having the copy of the requisition said to be made on 06.02.2026, but he will supply it to the learned ASGI forthwith, i.e., today itself.

16.Let the requisition dated 06.02.2026 be served upon the learned ASGI in course of the day.

17.On the issue of assault upon the writ petitioner, who is pursuing the present writ petition on the issue of missing of her minor girl child (now, major), this Court has directed the learned State counsel to ask Mr. Haris Bin Zaman, Superintendent of Police, Gumla to join the Court proceeding through Virtual Mode, who has appeared through Virtual Mode and has assured that he will do needful so that there may not be any danger to the life of the writ petitioner.

18.The matter is to be taken up tomorrow so that the update may be updated by the learned Member Secretary, JHALSA.

19.Therefore, the matter is being adjourned to be listed tomorrow, i.e., on 12.02.2026.

20.In the meanwhile, the update regarding the tracing out of missing girl child be brought on record.

21.Let the name of Mr. Prashant Pallav, the learned ASGI be reflected in the cause list forthwith.”

2. Mr. Prashant Pallav, learned ASGI has submitted that there is no difficulty on the part of the authority in supplying the Aadhaar Card but the requirement is to make an application

before this Court, as per the provision as mandated under Section 33 of the Aadhaar Act, 2016.

3. Upon this, learned State counsel has undertaken before this Court, considering the nature of issue, that due application will be filed by tomorrow.

4. Further, the issue of man-handling with the writ petitioner, the mother of the missing child, has also been taken note in order dated 11.02.2026 and a report was called for from the State as also from JHALSA.

5. The report of the JHALSA reflects that the brother-in-law [devar] of the writ petitioner has man-handled the writ petitioner, but the matter has been compromised.

6. However, the learned State counsel has submitted that taking into consideration the seriousness of the issue and offence being cognizable, now the FIR has been instituted being Gumla P.S. Case No. 56 of 2026 under Sections 115(2)/117(2)/126(2)/329(4)/352 of the BNS, 2023 and 3/ 4 of the Prevention of Witch (Daain) Practices Act, 2001, copy thereof has been placed before this Court for its perusal.

7. Mr. Suresh Prasad Yadav, Sub-Divisional Police Officer, Gumla and Mr. Rahul Kumar Dasondi, officer-in-charge, AHTU police station, Gumla are present in the Court.

8. In course of argument, an issue has been discussed on the practical difficulty in a case of trafficking wherein one of important source to have the clue is the Aadhaar Card but as mandated under the *Aadhaar Act, 2016*, the Aadhaar Card of a particular

individual, herein the victim, can only be supplied on the basis of direction issued by the High Court, if any motion to that effect will be made by the prosecuting agency.

9. We are dealing with the issue of trafficking in the State of Jharkhand, where the majority of the victim [trafficked] are from the remotest area of the State of Jharkhand and being the tribal aborigines having no means to sustain even and that is the main reason of being victim of trafficking at the end of racketeers who are deeply involved in the trafficking of the human.

10. Since the victims are mainly belong to the marginalized community of the State of Jharkhand and when there is no access even to go to the local police station due to so many reasons, one of which is illiteracy, as such, in such circumstances, how the situation of supply of Aadhaar Card, which is one of the main source of having clue to trace out the victim, is to be handled.

11. What we have seen in so many cases that if the occurrence took place of trafficking in the year 2018-19, as the case of present case herein the victim has been trafficked sometimes in the year 2018 and when this Court took cognizance on the basis of motion made by the mother of the victim by filing the instant writ petition, only then the 'SIT' has been constituted.

12. In the present case, the head of SIT, who is present in the Court, in presence of learned State counsel, has stated that it is quite impossible to trace out the victims in absence of any cogent proof to locate their destination.

13. The SDPO, the head of SIT has, however, submitted that the SIT is trying its best to search out the victim by taking all means but in absence of any cogent document to locate the victim, one of such documents is the Aadhaar Card, difficulty is being faced by them.

14. This Court cannot deny the aforesaid difficulty being faced by the SIT.

15. However, so far as the present case is concerned since the mother of the victim has approached to this Court by invoking the jurisdiction conferred to this Court under Article 226 of the Constitution of India, the State has undertaken to move an application for getting the details of the Aadhaar Card, but the question is that what will happen to the other cases where the parents of the missing child/trafficked child are facing the rigors of trafficking of their own child and who are not in a position to come to the Court, then how such situation will be dealt with that is the moot question.

16. We have already passed order in Cr. Appeal (DB) No. 736 of 2023 by taking note that if any legislation has been made the same is for substantial justice and that has been taken note in order dated 11.02.2026 also. Here, we are looking this aspect of trafficking, which is rampant, as to how to deal with such situation and whether in such circumstances, the barrier, as mandated in the Statute, which is coming in the way of the authority of the UIDAI in supplying the document, can be said to be in coming in the way of substantive justice.

17. The matter since is posted on 25.02.2026 on the issue of making out the SoP as to how to deal with the outsiders, who are coming in the State of Jharkhand for earning their livelihood; and as such this Court had called upon the Home Secretary, Govt. of Jharkhand and the DGP to have the SoP in this regard.

18. Further, since the Aadhaar Act, 2016 is the central legislation and as such this Court thought it proper to call upon the Ministry of Home Affairs to have their suggestions, how to deal with such suggestion.

19. Upon this, Mr. Prashant Pallav, learned ASGI has submitted that he will come with the aforesaid suggestion on the next date of hearing fixed for further deliberation on the issue.

20. Such order is required to be passed on the issue because in a case of trafficking time is the essence.

21. List this case on 25.02.2026.

22. For the present, the personal appearance of the officers present in the Court is dispensed with.

23. Let further up-date be filed on the next date of hearing.

(Sujit Narayan Prasad, J.)

(Arun Kumar Rai, J.)

12th February, 2026

Alankar/-