



**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

CRIMINAL MISC. WRIT PETITION No. - 11291 of 2025

Vikrama Prasad

.....Petitioner(s)

Versus

State of U.P. Thru. Prin. Secy. Home Lko. and 3 others

.....Respondent(s)

Counsel for Petitioner(s) : Onkar Pandey, Anand Kumar Singh
Counsel for Respondent(s) : G.A.,

Court No. - 11

**HON'BLE ABDUL MOIN, J.
HON'BLE MRS. BABITA RANI, J.**

1. A personal affidavit of the Additional Chief Secretary (Home) filed today is taken on record.

2. Reasons as to why the Additional Chief Secretary (Home) was required to file his personal affidavit, have been set forth in detail in the order of this Court dated 17.12.2025, which for the sake of convenience is reproduced below:

"1. Personal affidavit of the Commissioner of Police, Lucknow filed today is taken on record.

2. This writ petition is a classic example of the casual and cavalier attitude of the authorities.

3. The son of the petitioner had gone missing in July, 2024, which resulted in the petitioner filing a missing person report on 17.07.2024, a copy of which is Annexure-1 to the writ petition. Thereafter, the matter attained a quietus. When no action was taken by the authorities to redress the grievance of the petitioner, he approached this Court by filing the instant petition on 27.11.2025.

4. Considering the seriousness of the matter in which an adult aged about 32 years has gone missing from the State capital, this Court passed an order dated 01.12.2025 requiring the personal affidavit of the Commissioner of Police to indicate the progress which has been made in the matter. In

pursuance thereof, the personal affidavit of the Commissioner of Police, Lucknow has been filed.

5. Learned AGA while placing reliance on the averments contained in the said affidavit has stated that:-

(A) An FIR has been lodged on 02.12.2025 vide FIR No. 0690 of 2025 under 137(2) of the B.N.S., 2023. The efforts have now been started to trace out the missing person.

(B) Learned AGA also drawn attention of this Court towards an order of Incharge Inspector, Police Station Chinhat, District Lucknow dated NIL, a copy of which is Annexure-13, whereby a reference has been given to the instant pending writ petition and various directions have been issued for the purpose of tracing out the missing person by indicating that the missing person's photographs should be obtained, the same should be displayed on various points, notices should be issued in the newspapers and his missing should be telecasted on the Doordarshan and radio etc.

6. Thus, it is apparent that it is only when this Court has taken cognizance of a person having gone missing from the State capital in July, 2024 vide its orders dated 01.12.2025 that the official machinery has now got into motion by lodging the FIR and by indicating the efforts which are now being made in order to trace out the missing person. As already indicated above the efforts have started about approximately one and half years of the missing complaint being lodged by the petitioner in order to trace out his son.

7. Upon a pointed query being put to the learned AGA as to how the said complaints pertaining to missing person are dealt with, he fairly states that the complaints are uploaded on the website, and thereafter, they continue to remain on the website till such time, some impetus is given either by an order of the Court of law or otherwise !!!

8. This action indicates the lackadaisical attitude on the part of the State authorities in tracing out missing persons. There might be various complaints with regard to the same. However, it is only by means of the instant petition that the aforesaid situation has come to the notice of this Court i.e. a missing complaint being simply uploaded on the website of the authorities, and thereafter, no action being taken till such time, some action is required to be done by an order of a Court of law. This is already not expected from a welfare State whereby the citizen has to approach the highest Court of the State in order to set in motion an action which is required to be done by the authorities themselves on their own accord more particularly when the missing complaint report admittedly has been uploaded on the official website of the State authorities.

10. Considering the aforesaid, let a personal affidavit of the Principal Secretary (Home) be filed indicating:

(A) the action which has been taken in pursuance to missing complaint report which had been lodged by the petitioner in July, 2024 and in pursuance of which an FIR dated 02.12.2025 has been lodged

(B) as to how many such missing complaint reports have been uploaded on the website which is said to be N.C.R.B. since 01 January, 2024, and as to how many of those missing complaint reports have been redressed/ persons traced out.

(C) as to how the said missing complaints are dealt with by the authorities once the said complaint is uploaded on the website of the N.C.R.B.

11. The personal affidavit, would also indicate as to whether any information is sent to the complainant regarding the status of the said missing complaint report, and if so the frequency with which any information is sent to the complainant.

12. Let personal affidavit be filed within three weeks. In case personal affidavit is not filed then the Principal Secretary (Home) shall appear in person alongwith the records to assist the Court.

13. List this case on 29.01.2026 "

3. From perusal of the aforesaid order, it emerges that the son of the petitioner had gone missing in July, 2024, for which a missing person report was lodged on 17.07.2024 but no action was taken by the authorities in the matter which resulted in the petitioner approaching this Court by filing the petition on 27.11.2025.

4. Earlier, vide order dated 01.12.2025 considering that the petitioner's son has been missing since 15.07.2024 (wrongly typed as 17.04.2024 in the order dated 01.12.2025) the personal affidavit of the Commissioner of Police, Lucknow was required to be filed.

5. Upon filing of the personal affidavit, this Court was not satisfied with the said personal affidavit which resulted in a detailed order dated 17.12.2025 being passed by this Court and in pursuance thereof the personal affidavit of the Additional Chief Secretary (Home) has been filed.

6. A perusal of the personal affidavit filed by the Additional Chief Secretary (Home) does not inspire much confidence. The reason is that a perusal of the said affidavit would indicate that it is only when the Court has taken cognizance of the petition and has required the Commissioner of Police to file the personal affidavit vide order dated 01.12.2025 that

the authorities have got in action inasmuch as the entire action, which has been taken to trace out the missing person, has started w. e. f. 02.12.2025. Incidentally, in paragraph-4 of the personal affidavit, it has been indicated that a fresh application has been submitted by the petitioner, which has resulted in an FIR bearing No.690 of 2025 under Section 137(2) of the B.N.S., 2023 being registered on 02.12.2025 at Police Station Chinhat, Commissionerate Lucknow and thereafter the action to trace out the missing person has started.

7. Learned AGA has drawn attention to page 21 of the affidavit which is a report submitted by the Deputy Commissioner of Police, East Commissionerate Lucknow to Commissioner of Police, which indicates that the mobile phone of the missing person was recovered on 21.11.2024. However, as already indicated above, the efforts to trace out the missing person appears to have only started since lodging of the FIR on 02.12.2025.

8. Thus, in effect a person who has gone missing in July, 2024 and a period of more than one and half years having lapsed, there is still no trace of him and the personal affidavit also indicates that the efforts started since December, 2025 in order to trace out the missing person which itself speaks volumes about the working of the authorities!!!

9. We need not say anything more at this stage inasmuch as once no information is available about the missing person since last more than one and half years and police have also started investigating the matter after almost one and half year of the person having gone missing, itself indicates the total lack of seriousness with which the authorities take the missing complaints that are lodged by the residents of Uttar Pradesh.

10. Further, considering the detailed order that has been passed by us dated 17.12.2025, per which the Court had required the Additional Chief Secretary (Home) to indicate certain details regarding the missing persons/complaints and as per the said details, more particularly, the information as given by the Police Technical Services Headquarter dated 22.01.2026, a copy of which has been filed as Annexure-1 to this

personal affidavit, it emerges that since 01.01.2024 to 18.01.2026 approximately, 1,08,300 missing person complaints have been registered in which 9,700 cases pertain to the action taken to trace out the persons. The said data is shocking and we are aghast at the attitude of the authorities in addressing the complaints pertaining to missing persons, which obviously requires a sense of urgency on the part of the authorities. For the sake of convenience, the relevant data, as contained in the letter dated 22.01.2026, is reproduced below:-

(B)	As to how many such missing complaint reports have been uploaded on the website which is said to be N.C.R.B. since 01 January, 2024 and as to how many of those missing complaint reports have been redressed/persons traced out.	सीसीटीएनएस में उपलब्ध डाटा के अनुसार दिनांक 01-01-2024 से 18-01-2026 तक लगभग 1,08,300 missing person पंजीकरण हुए हैं, जिनमें लगभग 9,700 केसेस में person trace की कार्यवाही सम्बन्धी विवरण सम्बंधित कमिश्नरेट/जनपदों द्वारा दर्ज किया गया है।
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11. It could be that the data is incomplete but then again the Additional Chief Secretary in his personal affidavit has specifically indicated in paragraph 2 of his personal affidavit that the data is available on CCTNS which data has been made available vide letter dated 22.01.2026 which has been annexed along with the personal affidavit and thus the personal affidavit coming at the level of a senior officer of the State and that too of the Home Department obviously must be containing the correct data.

12. Thus, the matter now concerns more than one person having gone missing rather it now concerns the entire State and the data itself indicates *prima facie* lackadaisical attitude on the part of the authorities in tracing out the missing persons.

13. The matter is all the most serious considering the fact as has been noticed by us in the instant matter where the missing complaint report was lodged in July 2024 and sincere efforts to traceout the person have only started in December 2025, the alarming aspect is that as per the circular issued by the Director General of Police dated 20.06.2025 the CCTV footage is only to be preserved for two to two and half months,

meaning thereby that in case the authorities do not act with alacrity on the missing complaint report then they would not have any CCTV data to fall back which would make tracing out of a missing person virtually impossible as has happened in the instant case and is also reflective from the CCTNS data.

14. Considering the aforesaid we are of the view that a larger public interest is now involved in the matter as such we direct that the instant writ petition be itself registered in the nature of Public Interest Litigation and be named as " In re- Missing persons in the State" and listed before the appropriate Court in the next week on **05.02.2026**.

15. In the meanwhile, it would be open for the petitioner to file a reply to the personal affidavit which has been filed by the Additional Chief Secretary.

16. It would also be open for the petitioner to make a request to the concerned Court for taking up the matter out of turn considering the large public interest.

(Mrs. Babita Rani,J.) (Abdul Moin,J.)

January 29, 2026

Reena/A. Katiyar