ITEM NO.64 COURT NO.1 SECTION X

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(s)(Criminal) No(s). 322/2026

ANSHU KUMARI **Petitioner(s)**

VERSUS

UNION OF INDIA & ORS. **Respondent(s)**

(IA No. 308374/2026 - APPROPRIATE ORDERS/DIRECTIONS and IA No. 240344/2026 - EXEMPTION FROM FILING O.T.)

Date : 16-11-2026 This matter was called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE JOYMALYA BAGCHI
HON'BLE MRS. JUSTICE V. MOHANA

For Petitioner(s) :Mr. Prashant Kumar- 3404, AOR
Ms. Manvi Nigam, Adv.
Mr. Navneet Kumar, Adv.

For Respondent(s) :Mr. Arvind Kumar Sharma- 1133, AOR

Mr. Tushar Mehta, Solicitor General
Mr. Sudarshan Lamba, AOR
Mr. Amit Sharma B, Adv.
Mr. Yashraj Singh Bundela, Adv.
Mr. Digvijay Dam, Adv.
Mr. Rahul Arya, Adv.
Mr. A.K. Sharma, AOR
Mr. Amrish Kumar, Adv.

Mr. Tushar Mehta, Solicitor General
Mr. Yashraj Singh Bundela, Adv.
Mr. Amit Sharma B, Adv.
Mr. Digvijay Dam, Adv.
Mr. Amrish Kumar, AOR
Mr. Dr. Arun Kumar Yadav, Adv.

Mr. Yash S. Vijay- 3775, AOR
Ms. Stuti Rai, Adv.
Mr. Shikhar Aggarwal, Adv.
Mr. Joshua Tom Thomas, Adv.

Nitin Talreja
Digitally signed by Nitin Talreja
Date: 2026.11.16 20:22:55 +0530

UPON hearing the counsel the Court made the following

O R D E R

1. The instant Writ Petition under Article 32 of the Constitution was entertained purely on humanitarian considerations, in view of the extraordinary circumstances of the case. The petitioner's husband, Captain Ashish Kumar, a Master in the Merchant Navy, had joined the merchant vessel M.T. Skylight at Dubai on 22.01.2026. On 01.03.2026, the vessel is stated to have come under a missile/drone attack in the Strait of Hormuz and caught fire.

2. On 02.03.2026, the petitioner was informed by the Embassy of India in Muscat, Oman, that eight Indian crew members had been rescued by the Omani authorities. Two others, namely, her husband and one Dilip Singh, were reported missing, as they were stated to be in the engine room at the time of the incident.

3. Subsequently, on 03.03.2026, the Embassy communicated that the two missing persons were likely deceased. The next day, the petitioner was informed that burnt skeletal remains had been recovered from the Captain's cabin, one of which was presumed to be that of her husband.

4. The petitioner states that, on the same day, she received calls on her WhatsApp number from unknown persons using foreign and Indian phone numbers. The callers apparently claimed that her husband was alive and demanded a ransom of Rs. 20 lakhs.

5. According to the petitioner, the Biological Technological Report received on 12.03.2026 from the Directorate General of Search and Criminal Investigation, Royal Oman Police, was inconclusive. Her husband's brother, Akash Kumar, thereafter travelled to Oman and provided a DNA sample on 21.04.2026, whereupon it was confirmed that the skeletal remains were not those of her husband. Representations were also made by the petitioner's father-in-law to the police authorities on 06.04.2026 and to the Prime Minister's Office on 22.05.2026, seeking a detailed investigation into the whereabouts of her husband. The petitioner avers that her husband is in illegal captivity.

6. It is in these circumstances that we had initially intervened and deemed it appropriate to issue notice to the Union of India.

7. The Union of India has since informed us that, despite its best efforts through diplomatic channels, it has not been able to ascertain the whereabouts of the petitioner's husband, and that the information available indicates that he may no longer be alive.

8. The petitioner has, however, placed before us today a video clip which, according to her, shows her husband in an injured condition. She asserts that her husband is alive, and that if sincere efforts are made by the authorities, his whereabouts can be traced and he can be brought back safely.

9. There is no gainsaying that the material now relied upon by the petitioner would require due verification by the agencies concerned, in coordination with foreign authorities. We, therefore, dispose of this writ petition with the following directions:

(i) As undertaken, the petitioner shall hand over the video clip and any other new material to learned Counsel for the Union of India during the course of the day.

(ii) Upon receipt, the authorities concerned shall verify the genuineness of the video clip. If there is reason to believe that the person in the video clip is the petitioner's husband, the authorities shall take up the matter through the appropriate diplomatic channels to trace his whereabouts and to secure his safe return.

(iii) While in such like matters, which involve liaisoning with foreign authorities, we refrain from fixing a timeline. However, we expect the authorities to make sincere efforts to comply with the letter and spirit of these directions.

10. I.A. No. 308374/2026 is dismissed, with liberty to the petitioner to approach the appropriate authorities or forum in respect of the reliefs sought therein.

11. The writ petition is, accordingly, disposed of in the above terms. Pending application(s), if any, shall stand disposed of.

(NITIN TALREJA)
ASTT. REGISTRAR-cum-PS

(PREETHI DILEEP KUMAR)
DY. REGISTRAR