

**IN THE SUPREME COURT OF INDIA
CRIMINAL ORIGINAL JURISDICTION**

WRIT PETITION (CRIMINAL) NO(S).313 OF 2026

GULNARA NAZHMUDINOVA PETITIONER(S)

VERSUS

**THE STATE OF UTTAR
PRADESH AND ORS. RESPONDENT(S)**

O R D E R

- 1.** Heard.
- 2.** The petitioner, a citizen of Turkmenistan, has approached this Court by way of the instant writ petition under Article 32 of the Constitution of India under deeply disturbing circumstances. The petitioner is the mother of Ms. Najmudinova Muhabbat¹ who had travelled to India in February, 2026.
- 3.** The dead body of the deceased was recovered on 21st February, 2026 from an open field falling within

¹ hereinafter referred to as “the deceased”.

the limits of Police Station Mawana, District Meerut, Uttar Pradesh. The face of the deceased had been mutilated by corrosive chemical and thereafter, the body was abandoned in the open field. Information regarding discovery of the dead body was provided at the police station at about 6:00 PM on 21st February, 2026 by one Manoj s/o Ved Prakash, in whose field the dead body was seen lying. Initial enquiry was undertaken by Sub Inspector Smt. Preeti Sharma.

4. The State has come up with a case that, as there were no identifying marks on the body, efforts were made to ascertain the identity of the deceased through various means including examination of phone calls, social media, newspapers etc. but to no avail. The preliminary enquiry also revealed that the face of the unidentified woman had been burnt and appeared to have been corroded by acid to conceal her identity.

5. An FIR bearing Crime No. 80/2026 came to be registered on 25th February, 2026 against unknown persons. On the same day, the dead body was subjected to post-mortem examination. The post-mortem report recorded that the body was decomposed and the cause of death was opined to be

septicemia due to chronic illness involving multiple organs.

6. At the time of post-mortem examination, *viscera* samples were preserved from the body *viz.* right thigh muscle with skin, one tooth, a piece of sternum bone and scalp hair, for the purpose of DNA examination in future. The dead body was then handed back to the police.

7. The police officials, thereafter, proceeded to cremate the dead body under the belief that the deceased was a Hindu. However, when the report of the death attracted media attention, further verification was carried out and assistance of a representative appointed by the Embassy of Turkmenistan was taken, which affirmed that the deceased was not an Indian citizen but was, in fact, a citizen of Turkmenistan and was identified as Ms. Najmudinova Muhabbat i.e., the petitioner's daughter.

8. The petitioner has set out a case in the writ petition that the dead body was recklessly cremated as per Hindu rituals and customs without the identity of the deceased having been ascertained. It is further alleged that neither the family members nor

the next of kin of the deceased, nor the Embassy of Turkmenistan were informed before cremation. The petitioner has also alleged that the ashes collected pursuant to the cremation were retained by the police officials.

9. In the meantime, the investigation proceeded. Certain suspected individuals were investigated into and the owner of the hotel in which the deceased was last seen was arrested during investigation. Recoveries were effected and few more accused persons were arrested by the police. This Court has been informed that chargesheet has been filed by the local police against four accused persons.

10. Alleging gross negligence in investigation, the petitioner has approached this Court by way of the instant writ petition under Article 32 of the Constitution of India with the following prayers:

- i. A writ of mandamus directing constitution of a Special Investigation Team comprising of officers unconnected with the investigation conducted thus far to conduct a free, fair and independent investigation into the Case Crime No.

80/2026 registered at police station Mawana, District Meerut, Uttar Pradesh;

- ii. A direction to forthwith handover the mortal remains and ashes of the deceased to the petitioner being the mother of the deceased;
- iii. A direction for a departmental enquiry into the conduct of the investigation officers responsible for the initial bungling in investigation and cremation of the mortal remains and;
- iv. A direction for payment of compensation to the petitioner.

11. The respondents, in their counter affidavit, have admitted that pursuant to the recovery of the dead body owing to lack of identification, the same was kept preserved at the cold storage mortuary of LLRM Medical College for a period of 72 hours. When exhaustive search efforts from 21st February to 25th February, 2026 remained unfruitful, and the body was neither identified nor claimed by anyone, the post mortem was carried out. Keeping in view the articles worn by the deceased *namely*, a bangle and a

sacred thread on the hand, the investigating agency formed a *prima facie* opinion that the deceased woman followed the Hindu faith. Consequently, the mortal remains were cremated at Surajkund Crematorium, Meerut as per the prescribed procedure. The fact regarding preservation of four biological samples *viz.* right thigh muscle with skin, one tooth, a piece of sternum bone and scalp hair is also stated in the counter.

12. As per the reply, CCTV footage from the nearby areas was collected and thereafter, four accused persons were apprehended who were reportedly present in the hotel Avika where the deceased had stayed. The CCTV footage also revealed that the dead body was taken in a Creta Car and was thrown over the boundary wall at about 00:21 hours on 18th February, 2026.

13. It is further stated that, before the dead body was cremated, the investigation agency obtained a fresh opinion from the Medical Board regarding the cause of death. The reconstituted Medical Board opined that death asphyxia due to antemortem strangulation could not be ruled out. Upon conclusion of the investigation, a charge sheet has

been filed against four accused persons who were apprehended by the police during the course of investigation.

14. The State has, of course tried to defend the actions of the investigation officers claiming that the investigation was conducted with due diligence etc. The allegation of the petitioner that the investigation was compromised, inadequate, misplaced or tainted has been denied. However, insofar as the ashes of the deceased are concerned, learned Standing Counsel appearing for the State on instructions of the officer in charge, candidly conceded that the ashes were not preserved and only the *viscera* articles referred to *supra* have been preserved. Learned Standing Counsel also did not seriously contest the prayer of the petitioner seeking investigation by a Special Investigation Team.

15. In view of the facts and circumstances noted above, we are *prima facie* of the view that the allegation levelled in the writ petition that investigation conducted by the local police officials was shoddy and inadequate is amply supported by the material available on record. The delay in registration of the FIR, the delay in conducting the

post mortem and the manner in which the opinion regarding cause of death was received are all indicative of slipshod lackadaisical manner in which investigation was conducted. As the dead body had been received with corrosive burns on the face, the first attempt of the investigation officer should have been to gather the evidence regarding the cause of death. Once there was physical evidence of mutilation of the body which was found abandoned in a field, there could not have been any reason for not registering the FIR promptly.

16. Be that as it may, the post mortem was deferred for almost four days without any justification.

17. The negligence of the investigation officer is further manifested from the fact that the ashes pursuant to the cremation of the dead body were never preserved, thereby, depriving the petitioner of even the satisfaction of taking home the ashes of her daughter.

18. In this view of the matter, we deem it appropriate to issue the following directions.

- i. The mortal remains of the deceased collected by the doctors during the autopsy *i.e.*, right thigh muscle with skin,

one tooth, a piece of sternum bone and scalp hair shall be handed over to the petitioner forthwith under a duly prepared memorandum attested by two witnesses. These articles shall be handed over to the petitioner on Friday (25th September, 2026) in the precincts of the Supreme Court between 12 PM to 1 PM. A certified copy of the memorandum shall also be provided to the petitioner along with the mortal remains.

- ii. The Director General of Police, Uttar Pradesh shall assign further investigation of the matter to a Special Investigation Team, headed by an officer not below the rank of Additional Superintendent of Police.
- iii. The Special Investigation Team shall conduct further investigation in the matter and shall submit its report before the competent Court having jurisdiction within a period of two months from today.
- iv. The concerned authorities including the Ministry of External Affairs, Government

of India, in coordination with the Embassy of Turkmenistan would consider providing appropriate assistance to the petitioner in facilitating her return to Turkmenistan with the mortal remains of the deceased.

19. Since the prayer for compensation was not seriously pressed by the learned Counsel for the petitioner, we refrain from passing any order thereupon, leaving it open for the petitioner to take recourse to suitable legal remedy for the said relief, if so desired.

20. The writ petition is disposed of with the above observations and directions.

21. Pending application(s), if any, shall stand disposed of.

.....**J.**
(VIKRAM NATH)

.....**J.**
(SANDEEP MEHTA)

NEW DELHI;
SEPTEMBER 22, 2026.

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). 313/2026

GULNARA NAZHMUDINOVA

Petitioner(s)

VERSUS

THE STATE OF UTTAR PRADESH & ORS.

Respondent(s)

FOR ADMISSION

IA No. 234040/2026 - EXEMPTION FROM FILING O.T.

Date : 22-09-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE VIKRAM NATH

HON'BLE MR. JUSTICE SANDEEP MEHTA

For Petitioner(s) :Mr. Varun Narang, Adv.
Mr. Ekansh Bansal , AOR
Mr. S Jasbeer Singh, Adv.
Mr. Sanjeev Kumar Sarwal, Adv.
Mr. Ekansh Bansal, Adv.

For Respondent(s) :Ms. Raj Dipa Behura, Sr. Adv.
Dr. Vijendra Singh, AOR
Mr. Aniket Tiwari, Adv.
Ms. Apurva Singh, Adv.
Mr. Philomon, Adv.

Mr. Suryaprakash V Raju, A.S.G.(NP)
Mr. Sudarshan Lamba, AOR
Mr. Annam Venkatesh, Adv.
Mr. Samrat Goswami, Adv.
Mr. Eklavya Dwivedi, Adv.

UPON hearing the counsel the Court made the following
O R D E R

The writ petition is disposed of in terms of the
signed order.

Pending application(s), if any, shall stand
disposed of.

(NEETU KHAJURIA)
ASSISTANT REGISTRAR-CUM-PS

(RANJANA SHAILEY)
ASSISTANT REGISTRAR

(Signed order is placed on the file.)