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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

CNR No. DLHC010404052026

+ **W.P.(CRL) 2617/2026**

DR RAJ SHEKHAWAT

.....Petitioner

Through: Mr.Himanshu Sharma,
Mr.Roshan Dhanai,
Mr.Abhishek Tyagi and
Mr.Saurav Kumar, Advs.

versus

GOVERNMENT OF NCT OF DELHI AND ANR

.....Respondents

Through: Mr.Sanjay Lao, Sr. Adv. with
Mr.Aman Usman, APP and
Mr.Abhinav Kr. Arya and
Mr.Aryan Sachdeva, Advs. with
SI Ashutosh Mishra and Insp.
Amit, PS Mehrauli

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

01.09.2026

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CRL.M.A. 26528/2026

1. As this application has already been disposed of *vide* the order dated 25.08.2026, the same need not be shown in the cause-list any further.



W.P.(CRL) 2617/2026 & CRL.M.A. 26527/2026

2. The present petition has been filed under Article 226 of the Constitution of India, read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, alleging that the petitioner has been confined at his friend's residence at B-57, Gate No.3, Freedom Fighter Enclave, IGNOU Road, Neb Sarai, Near Saket Metro Station, New Delhi-110068, without any lawful authority.

3. The petition was first listed before this Court on 25.08.2026, when the learned counsel for the respondents stated that the petitioner had not been detained or arrested in any case. The respondents, however, also stated that there is an apprehension that the petitioner may proceed towards Jantar Mantar for a protest.

4. The learned counsel for the petitioner submits that the petitioner cannot be restrained from holding a protest at Jantar Mantar or at any other place.

5. We are afraid that the above submission of the learned counsel for the petitioner is beyond the scope of the jurisdiction of this Court in a Writ of Habeas Corpus. In case there is any lawful order restraining the petitioner from holding a protest at Jantar Mantar, the remedy available to the petitioner would be to challenge such order in appropriate proceedings. In the absence of any such order, if the petitioner is nevertheless restrained from holding a protest, the petitioner would be entitled to avail of the appropriate remedies to challenge such restraint. These are matters which cannot be decided in a vacuum in the present proceedings

6. Accordingly, the present petition is disposed of as having been



satisfied on the submission of the respondents that the petitioner is under no restraint or detention and is free to move around. The pending application is also disposed of.

NAVIN CHAWLA, J

RAVINDER DUDEJA, J

SEPTEMBER 1, 2026/ns/Yg