

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 5635 OF 2025

Hatim Sayed Rustam .. Petitioner
Versus
The State of Maharashtra and ors .. Respondents
...

Adv. Rajesh Khobragade, a/w Adv. Aakash Tayade, Adv. Sanjeevan Gaikwad for the petitioner.

Mr. Tanveer Khan, APP for the State.

Mr. Prashant M Patil, API, Agripada Police Station.

**CORAM: BHARATI DANGRE &
SHYAM CHANDAK, JJ.**

DATED : 10th NOVEMBER, 2025

P.C:-

1. The petition filed by the father alleges that his son, Huzefa Sayed, aged 25 years, was forcibly taken by his wife to the Rehabilitation Center and he is admitted against his will and without any lawful authority.

The anxiety expressed by the petitioner is, that his son is due to appear for an examination of Diploma in Pharmacy commencing from 13/11/2025, although, no proof thereof is placed on record as on date.

2. Even without this contingency, it appears to us that the son of the petitioner was admitted in Roshni Rehabilitation Centre on 17/09/2025, and infact the petitioner was also lead to the said Centre and he could meet his son and the police recorded his statement to

that effect.

The police have also clicked some pictures of the father and the son, in the background fact the mother has also her statement recorded on 23/09/2025, stating that her son is addicted to contraband and when she refused to arrange for the money, he attempted to commit suicide. She also alleged that he became violent and assaulted her two daughters. Apprehending threat to their lives, she admitted him to the Rehabilitation Centre, where he is undergoing treatment.

When we inquired about the whereabouts of the petitioner's son, it is informed by the Investigating Officer, that he has been shifted from the Roshni Nashmukti Kendra, and it is informed that the mother has shifted him to some other place or the son is with the mother.

3. In the above circumstances, we direct the Senior Police Officer from Agripada Police Station to immediately establish contact with respondent no.2 and serve a copy of the petition upon her, as it is the specific contention of the learned counsel for the petitioner that all attempts to serve copy of the petition to her failed, as she is presently residing with her brother at different address and has refused to accept the notice, but there is no proof to establish this fact.

In these circumstances, we direct the Senior Police Officer from Agripada Police Station to serve the copy of the writ petition upon the respondent no.2 and also place before us a report as regards Huzefa, and if he is admitted in Rehab Centre, they should also visit the Rehab Centre, and obtain a Certificate from the In-charge of the

Centre as to for what ailment he is admitted, what is the course of treatment which is being followed and how long the treatment is likely to be taken, with a clear intimation that any incorrect information by the Officer In-charge will call for appropriate steps to be initiated against him.

With the aforesaid compliance being ensured, we direct listing of the petition on 12/11/2025.

(SHYAM C. CHANDAK,J)

(BHARATI DANGRE, J.)