

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO.5823 OF 2025

- | | | |
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| 1. The Bandra Holy Family Hospital Society,
Bandra (West), Mumbai |] | |
| 2. The Bandra Holy Family Hospital,
Bandra (West), Mumbai
<i>(Being temporary guardian on Good
Samaritan basis of : Mrs. Mohini Puri)</i> |]
]
]
] |] .. Petitioners |

Versus

- | | | |
|---|-------------|------------------|
| 1. The State of Maharashtra,
Through Bandra West Police Station |]
] | |
| 2. Ld. Senior Citizen Tribunal,
Office of the Sub-Divisional Officer,
Bandra (East), Mumbai |]
]
] | |
| 3. Amit Puri,
R/o. Bandra (West), Mumbai |]
] |] .. Respondents |

Mr. Yogesh Naidu with Mr. Eden R. Seth, Mr. Anukul Seth, Ms. Talha Siddiqui and Ms. Subiya Kazi, Advocates for the Petitioners.

Mrs. M.M. Deshmukh, In-Charge Public Prosecutor with Mr. K.V. Saste, Additional Public Prosecutor for Respondent No.1.

Mr. Amit Puri, Respondent No.3 is present in Person.

**CORAM : SHREE CHANDRASHEKHAR, CJ. &
GAUTAM A. ANKHAD, J.**

DATE : 27TH MARCH 2026.

P.C. :

In the beginning of the hearing, Mr. Amit Puri, the respondent no.3, who is appearing in-person, stated that he intends to file a petition seeking recall of the order dated 17th November 2025. He has tried to raise a dispute and made

allegations against the treating doctor. However, he did not inform the Court that against the order dated 17th November 2025 passed in Criminal Writ Petition No.5823 of 2025, he had approached the Hon'ble Supreme Court in Special Leave Petition (Criminal) Diary No.67356 of 2025 which was dismissed on 25th November 2025. Notwithstanding dismissal of the Special Leave Petition, the respondent no.3 gave a projection before this Court that he shall be filing a compliance report in terms of the order dated 17th November 2025. It was on 12th January 2026 when the respondent no.3 had made a statement in the Court that he intends to file a petition seeking review of the order dated 17th November 2025. On that day, the following order was passed by this Court:

“ Mr. Amit Puri who is the respondent no.3 in this petition appears and states that his reply is ready and that shall be filed within two weeks. The respondent no.3 appearing in-person further states that he intends to file a review petition seeking review of the order dated 17th November 2025. He, however, states that he shall file a compliance report in terms of the said order within two weeks.

2. Granting liberty to the respondent no.3 as prayed for by him, hearing of this writ petition is adjourned by two weeks, for reporting compliance by the respondent no.3.

3. List the petition on 2nd February 2026.”

2. On 2nd February 2026, the respondent no.3 made a statement in the Court that he had prepared a compliance affidavit which shall be filed in the Registry of the Court.

3. An affidavit dated 27th March 2026 filed by Dr. Anupama Saldana, Medical Superintendent of the Bandra Holy Family Hospital, Mumbai has been tendered in the Court which is taken on record. In this affidavit, it is stated that the respondent no.3 has failed to comply with the directions at serial nos.(i), (ii), (ix) and (x) in paragraph no.35 of the judgment dated 17th November 2025. This is also stated in this affidavit that the continued stay of

the mother of the respondent no.3 without the need for indoor treatment management and care would only lead to medical complications of hospital acquired infection. The lady suffered from a complication which was successfully treated and she was sent to Bhabha Hospital only because of active neglect of her son, the respondent no.3. There are many things stated in this affidavit which at this stage we are not inclined to record in this order.

4. As the matter stands today, we find that the respondent no.3 is *prima facie* in breach of the judgment passed by this Court on 17th November 2025. The number of hearings in this writ petition gives an impression to the Court that the respondent no.3 is avoiding to comply with the order passed by this Court. We have also observed the demeanor of the respondent no.3 in the Court which was quite bad and displayed a defiant attitude.

5. In the aforesaid facts and circumstances, exercising the powers under Article 215 of the Constitution of India, read with the provisions under the Contempt of Courts Act, 1971, a contempt notice is issued to the respondent no.3 who is present in-person in the Court and has understood the import of the order passed by this Court. Let a reply be filed by him within a period of two weeks why he should not be committed for contempt of the Court. This is also made clear that in the event of non-compliance of the present order, the respondent no.3 shall be liable for a coercive action against him.

6. Post the matter on 17th April 2026.

[GAUTAM A. ANKHAD, J.]

[CHIEF JUSTICE]