

Rekha Patil

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

WRIT PETITION NO. 805 OF 2026

Hatim Sayed Rustam

...Petitioner

Vs.

The State of Maharashtra And Ors.

...Respondents

.....

Mr. Anil Y. Bansode, Advocate for the Petitioner.

Mr. S. V. Gavand, Additional Public Prosecutor, for the
Respondent Nos. 1 and 2-State.

.....

**CORAM: SHREE CHANDRASHEKHAR, CJ &
SUMAN SHYAM, J.**

DATE : 25th MARCH 2026.

PC:-

The learned counsel appearing for the petitioner states that the petitioner is not responding to his phone calls.

2. Mr. S. V. Gavand, the learned Additional Public Prosecutor tenders a copy of the order dated 26th November 2025 and submits that a similar writ petition being Writ Petition No. 5635 of 2025 has been disposed of by a coordinate Bench of this Court declining to accept the prayer made on behalf of the petitioner.

3. In Writ Petition No. 5635 of 2025, this Court observes as under:-

“1. In furtherance of our order dated 12/11/2025, the petitioner visited his son, who is admitted in ‘Asha Ki Kiran Foundation’, Village Waje, Taluka Panvel, for treatment.

REKHA
PRAKASH
PATIL

Digitally signed by
REKHA PRAKASH
PATIL
Date: 2026.03.27
11:48:38 +0530

Though the counsel for the petitioner makes a grievance that his son is healthy and hearty, we dispute the said statement in light of the certificate issued by the Head of the Rehabilitation Centre, 'Asha Ki Kiran', dated 11/11/2025, certifying that Mr. Huzefa Hatim Sayyed is admitted in the Centre from 5/10/2025 for treatment of drug de-addiction, as he is in the habit of consuming drugs and he is in a stage of denial. It is further certified that he has a self-destructive personality and he can harm himself and others, and it is necessary to keep him in a controlled environment for sometime so that there is an improvement in his behaviour and growth.

Though the certificate states that he shall have to be in the Rehabilitation Centre for a period between 9 to 12 months, we are quite conscious that the Rehabilitation Centre is in the process of evaluating the performance of a patient admitted depending upon his mental and physical stage as the Rehabilitation Centre definitely involves mental wellness of a patient also.

2. We are not inclined to accept the submission advanced on behalf of the petitioner that his son be referred to some other Centre or that his condition be evaluated by independent agency, as we find no reason to disbelieve the certificate issued by 'Asha Ki Kiran Foundation'. We must only remind the petitioner, who is the father of Huzefa, that if he is in a state of denial, let his father not adopt the same course of action and it is better that he accepts that his son needs treatment in a Rehabilitation Centre, and he shall assist him in his well being and coming out of the Centre as a healthy and hearty young man. However, we find the anxiety of the petitioner to be justiciable, as he seeks meeting with his son, which we permit as per the Rules of the Rehabilitation Centre.

In view of the above, petition stands disposed of."

4. In view thereof, the Writ Petition No. 805 of 2026 does not survive and dismissed.

(SUMAN SHYAM, J)

(CHIEF JUSTICE)