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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(CRL) 421/2026
MANJU NIGAMPetitioner

Through: Mr. Shashank Datta Vashista,
Mr. Aman Rawat, Advs.

versus

THE STATE GNCT OF DELHI & ORS.Respondents

Through: Mr. Sanjay Lao, Standing
Counsel with Ms. Priyam
Agarwal, Mr. Abhinav Kumar
Arya, Mr. Aryan Sachdeva,
Advs. for State.
Mr. Yash Yadav, Ms. Kanika
Relia, Advocates for R-5.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

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20.04.2026

1. This petition has been filed under Article 226 of the Constitution of India, read with Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, seeking issuance of a Writ in the nature of Habeas Corpus for production of Mr. Ratan Gautam @ Ratan Kumar Singh, who is stated to have been illegally taken away and confined at the Peaceful Welfare Society (Drug Counselling & Rehabilitation Centre) situated at Kurukshetra, Haryana.

2. On notice being issued, the respondent no. 5 has filed her reply, *inter alia*, contending therein that Sh. Ratan Gautam is not in any illegal confinement but is presently voluntarily undergoing medically advised de-addiction treatment at the above-named centre. It was



further stated that Sh. Ratan Gautam has been suffering from chronic alcoholism and has repeatedly subjected the respondent no. 5 and her children, especially her daughter, to harassment, threats, abusive conduct and physical violence. Earlier also, in a similar petition bearing no. W.P.(CRL) 2220/2017, filed by Ms. Luxmi Gautam, who is the other sister of Mr. Ratan Gautam, this Court had directed the release of Mr. Ratan Gautam on the undertaking of Ms. Luxmi Gautam that she would provide care, protection and treatment to Mr. Ratan Gautam. Later, however, an application was filed by Ms. Luxmi Gautam praying to be discharged from her undertaking. On this application, Mr. Ratan Gautam was allowed to return to his own house and Ms. Luxmi Gautam was relieved of the undertaking. It is alleged that on his return, Mr. Ratan Gautam has continued to harass the respondent no. 5 and her children due to his alcohol addiction.

3. In this petition, by our order dated 13.03.2026, we had directed the examination of Mr. Ratan Gautam by a medical board to be constituted at the Vardhman Mahavir Medical College & Safdarjung Hospital. In compliance of the said order, Mr. Ratan Gautam has been examined and the medical board's opinion dated 06.04.2026 has been filed, which suggests that he is competent to take decisions regarding his treatment for the alleged alcohol use disorder.

4. Mr. Ratan Gautam has also appeared before us in person and he submits that he does not wish to undergo the rehabilitation treatment. In fact, he raises complaints against respondent no. 5 of having forcefully removed him to the above named Centre.

5. We do not wish to enter into the cross complaints of Mr. Ratan



Gautam and the respondent no. 5.

6. In view of the medical opinion rendered by the Vardhman Mahavir Medical College & Safdarjung Hospital, and the desire expressed by Mr. Ratan Gautam to go back to his home, we simply state that he is entitled to do so. The Peaceful Welfare Society (Drug Counselling & Rehabilitation Centre) situated at Kurukshetra, Haryana, where he is presently lodged, is directed to allow him to go back to his house and to return all his belongings.

7. Keeping in view the nature of allegations made by the respondent no. 5, though without expressing any opinion on the same, we direct the SHO of the concerned Police Station to share his mobile number as also the mobile number of the Beat Constable of the area where the respondent no. 5 and her children reside, so that they can contact them in case of any emergency.

8. The petition is disposed of in terms of the aforesaid directions.

NAVIN CHAWLA, J

RAVINDER DUDEJA, J

APRIL 20, 2026/lks/sk/Yg