



2026:DHC:2454



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI****W.P.(C) 16613/2025**Date of Decision: **16.03.2026****IN THE MATTER OF:**

CELINA JAITLEY

.....Petitioner

Through: Mr. Sandeep Kapur, Ms Niharika Karanjawala Mishra, Mr. Raghav Kacker, Ms. Rytim Vohra, Ms Srishti Aggarwal, Mr Aayush Shukla, Advocates.

versus

UNION OF INDIA

.....Respondent

Through: Mr. Chetan Sharma ASG along with Ms.Nidhi Raman CGSC with Mr.Arn timer Mittal GP Mr. Akash Mishra, Mr.Amit Gupta, Mr.Subham Sharma and Mr.Naman Yashwardan Advocates.

CORAM:**HON'BLE MR. JUSTICE PURUSHAINDR A KUMAR KAURAV****JUDGEMENT****PURUSHAINDR A KUMAR KAURAV, J. (ORAL)**

1. The instant petition is for the following reliefs:-

"A. Issue a Writ of Mandamus or any other appropriate Writ, Order or Direction directing the Respondent to forthwith facilitate the provision of effective legal representation and / or counsel to Maj. (Retd.) Vikrant Kumar Jaitly with respect to his arrest and detention in United Arab Emirates;

B. Issue a Writ of Mandamus or any other appropriate Writ, Order or Direction directing the Respondent to bear or assist in securing the

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necessary legal expenses to the extent possible with respect to the detention of Maj. (Retd.) Vikrant Kumar Jaitly;

C. Issue a Writ of Mandamus or any other appropriate Writ, Order or Direction directing the Respondent to forthwith facilitate contact and real-time communication of the Petitioner with Maj. (Retd.) Vikrant Kumar Jaitly;

D. Issue a Writ of Mandamus or any other appropriate Writ, Order or Direction directing the Respondent to immediately take all necessary steps, through the concerned Indian Mission abroad, to secure appropriate medical treatment and humanitarian care for the detainee.

E. Issue a Writ of Mandamus or any other appropriate Writ, Order or Direction directing the Respondent to ensure that the concerned Indian Mission maintains regular contact with Maj. (Retd.) Vikrant Kumar Jaitly, monitors his welfare and access to legal assistance, and regularly informs the Petitioner of all relevant developments concerning his detention and legal status.

F. Issue a Writ of Mandamus or any other appropriate Writ, Order or Direction directing the Respondent to take up the matter of Maj. (Retd.) Vikrant Kumar Jaitly's arrest and detention with the authorities of the detaining country through appropriate diplomatic channels, to ensure that his rights are protected and that he is treated in accordance with international law and conventions on consular access.

G. Pass any other Order(s) as this Hon'ble Court may deem fit in the facts and circumstances of the present case."

2. The present petition was filed by the petitioner, the sister of Maj. (Retd.) Vikrant Kumar Jaitly, seeking various reliefs in relation to Mr. Jaitly's arrest and detention in the United Arab Emirates ('UAE'). During the course of the hearing, confidential information in the form of a report of Consular Access visited to Mr. Jaitly has been brought in a sealed cover by Mr. Chetan Sharma, ASG. The said report prepared by the Embassy of India, Abu Dhabi has also been perused by the Court.
3. After careful consideration of the petition, it appears that each of the prayers made in the instant petition have been satisfied and mitigated by this



Court by its various orders.

4. The *first* prayer seeks to facilitate the provision of effective legal representation and / or counsel to Mr. Jaitly.

5. On the basis of the status report given by the respondent-Ministry of External Affairs ('MEA'), it has come on record that the concerned officials of the Respondent-Ministry met Mr. Jaitly after being granted consular access, and apprised him of the names of some locally accredited law firms who may be willing to represent him, including M/s Khaled Almari & Partners, UAE. However, Mr. Jaitly informed the officials that the decision regarding engagement of a lawyer would be taken by his wife (Ms. Charul Jaitly). Consequently, the concerned officials communicated the details of the consular access meeting to the detainee's wife. As per the status report, no response had been received from Ms. Charul Jaitly on the question of Mr. Jaitly's legal representation.

6. The *second* prayer seeks a direction that the respondent bear or assist in securing necessary legal expenses for Mr. Jaitly.

7. As per the Court directions, the aforesaid aspect was also brought to the notice of Mr. Jaitly, who in communication with the officials, unequivocally stated that he is not willing to be represented by any of the law firms. The Court specifically directed that the concerned officials had to bring to the cognizance of Mr. Jaitly that M/s Khalid Almarri & Partners are willing to provide *pro bono* legal assistance to him. Even the said request has not been acceded to by Mr. Jaitly.

8. So far as the *third* prayer seeking a direction to respondent to facilitate contact and real-time communication of the petitioner with Mr. Jaitly is concerned, as per the communication made available by the respondent, it



2026:DHC:2454



has come on record that Mr. Jaitly is not willing to engage with the petitioner, and make communication in this regard.

9. The *fourth* prayer seeks a direction to respondent to ensure that the concerned Indian Mission maintains regular contact with Mr. Jaitly, monitors his welfare and access to legal assistance, and regularly informs the petitioner of all relevant developments concerning his detention and legal status.

9.1 The aforesaid aspect is being adequately taken care of by the Indian Embassy, Abu Dhabi. Importantly, the Court also does not deem fit to control, on a minute and granular level, the manner in which the MEA is to operate and function.

10. The *fifth* prayer seeks a direction to the respondent to take up the matter of Mr. Jaitly's arrest and detention with the authorities of the detaining country through appropriate diplomatic channels, to ensure that his rights are protected.

11. The reports and the submissions being made by the respondent from time to time would unequivocally indicate that efforts are being made by State authorities in consultation with Mr. Jaitly. There cannot be any overt act, which is adverse to Mr. Jaitly, without taking him into confidence. There is no material on record, which would lead this Court to conclude otherwise.

12. Additionally, it be also noted that Mr. Jaitly repeatedly insisted for taking decisions in consultation with his wife namely, Ms. Charul Jaitly. He was of the clear opinion that the decision concerning his legal matters or otherwise, would not be dependent upon the wishes of the present petitioner.

13. In view of the aforesaid reasons and developments, there is no reason



2026:DHC:2454



to keep the instant petition pending. Accordingly, the same stands disposed of, along with the pending application.

14. The respondent-MEA, however, shall continue to remain in touch with Mr. Jaitly and provide all legal assistance as may be available in law.

PURUSHAINDRA KUMAR KAURAV, J

MARCH 16, 2026

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