

Amrut



IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL WRIT PETITION NO.494 OF 2026 (Filing No.)

DILIP DEV NARAYAN GOSWAMI

...Petitioner

Versus

THE STATE OF GOA

THR THE DIRECTOR GENERAL

OF POLICE AND 4 ORS.

...Respondents

Mr Vedraj Toraskar, Advocate for the Petitioner.

Ms Swati Kamat Wagh, Additional Public Prosecutor for the
Respondents-State.

**CORAM: DR. NEELA GOKHALE &
AMIT S. JAMSANDEKAR, JJ.**

DATED : 11th JUNE 2026

P.C.:

1. Leave to carry out the amendment is allowed. Amendment to be carried out forthwith.
2. Through this petition, the Petitioner requests that Respondent No.1 be directed to produce his wife, who is alleged to be mentally challenged and has been reportedly detained by Respondent Nos.4 and 5 at their home in Meerut, located in the National Capital Region of Delhi, since 17th August 2018.

3. Heard Mr V. Toraskar, learned counsel appearing for the Petitioner and Ms Swati Kamat Wagh, learned Additional Public Prosecutor representing the State.

4. We have perused the record of proceedings with the assistance of the learned counsel. We have perused the complaint dated 12th November 2018, made by the Petitioner to the Superintendent of Police, South Goa, regarding his wife's detention by the Respondents concerned. However, in Para 2 of the said complaint, the Petitioner himself has stated that his wife ran away from his house on 17th August 2018 with Respondent No.5, with the help of his sister-in-law, i.e., Respondent No.4. He has also complained that his wife and Respondent No.5 had stolen some money from him amounting to Rs.2,50,000/-.

5. Mr. Toraskar, the learned counsel for the Petitioner, states that although the Petitioner mentioned in his complaint that his wife ran away from home, it is implied that she was suffering from mental illness. As her husband and responsible for her welfare and well-being, he is seeking protection for her from this Court.

6. Mr Toraskar also points to a doctor's certificate annexed as Exhibit C-1 at page 16 of the petition. We have seen the said certificate. The same does not appear to be a certificate issued by

any competent medical practitioner. The same is also illegible. The certificate reads thus: -

Exhibit - "C-1"

16.

Joint Police Hospital, Department of Health and Family Welfare, Bambolim, Goa

माननीय डॉ. वसंत बाळमकर, जिल्हा-ज्येष्ठ

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Advocate for the Petitioner

7. At this stage, we do not wish to rely on this certificate to conclude that the detainee is mentally challenged. Considering that the Petitioner has stated in his complaint that his wife ran away with another man, we are not inclined to direct her production before this Court. However, we deem it appropriate to direct Respondent

No.1 to file a report in the present case regarding the alleged unlawful detention of the Petitioner's wife by Respondent No.5. Respondent No.1 is permitted to seek the assistance of the local police at Meerut, who are requested to assist the local Goa Police. The report is to be filed within two weeks from today.

8. Stand over to 2nd July 2026, to be listed at the end of the board.

AMIT S. JAMSANDEKAR, J DR. NEELA GOKHALE, J