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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

CNR No. DLHC010430672026

+ **W.P.(CRL) 2814/2026 & CRL.M.A. 28186/2026**

CCL S @ M

.....Petitioner

Through: Mr. Sahil Ahuja, Mr. Kuldeep Jauhari,
Mr. Tanav Kansal and Ms. Palak Garg,
Advs.

Versus

STATE (NCT OF DELHI) & ORS.

.....Respondents

Through: Ms. Rupali Bandhopadhyaya, ASC with
Mr. Abhijeet Kumar, Adv.
SI Devendra.

CORAM:

HON'BLE MS. JUSTICE MADHU JAIN

ORDER

% **14.09.2026**

1. This hearing has been done through hybrid mode.

CRL.M.A. 28187/2026 (for exemption)

2. Allowed, subject to all just exceptions. Accordingly, the application stands disposed of.

W.P.(CRL) 2814/2026 & CRL.M.A. 28186/2026

3. The present petition has been filed under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as the 'BNSS'), seeking the following reliefs:

“a) Allow the present petition and set aside the order dated 02.09.2026 passed by Ld. Additional Sessions Judge-05 (POCSO), North District, Rohini Courts, Delhi, in CA No. 59/2026, insofar as it directs in-patient admission of the Petitioner at Respondent No.



3/IHBAS; or, in the alternative, modify the said order and direct Respondent No. 3 to conduct the psychiatric, psychological and multidisciplinary assessment of the Petitioner on a daycare admission basis, without requiring the Petitioner to remain admitted or confined at the facility during night-time hours;

b) Direct Respondent No. 3 to conduct the assessment of the Petitioner only in the presence of his natural guardian and/or counsel, and to not proceed with any part of the assessment in their absence;

c) Direct Respondent No. 3 to complete the pending assessment of the Petitioner at the earliest, and in any event within a definite time-bound period as this Hon'ble Court may deem fit to fix;

d) Pass any other order(s) or direction(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case, and in the interest of justice.”

4. By way of the present petition, the Petitioner has raised two questions: (i) whether a CCL can be compelled to be admitted to a hospital in the absence of any medical necessity; and (ii) whether a CCL can be separated from his natural guardian while the assessment is being conducted.

5. Issue Notice.

6. Learned ASC for the State accepts Notice and seeks time to file a Status Report. Let the same be filed before the next date of hearing.

7. Upon the Petitioner taking steps, issue Notice to Respondent Nos. 2 and 3 through all permissible modes, including electronic mode.

8. List the matter on 09.12.2026.

9. Till the next date of hearing, the proceedings before the learned Appellate Court in **CA No. 59/2026** shall remain stayed.



10. The order be uploaded on the website *forthwith*.

MADHU JAIN, J

SEPTEMBER 14, 2026/JYH/m