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WP-41928-2026

IN THE HIGH COURT OF MADHYA PRADESH
AT GWALIOR

BEFORE

HON'BLE SHRI JUSTICE G. S. AHLUWALIA

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HON'BLE SMT. JUSTICE ANURADHA SHUKLA

ON THE 6th OF OCTOBER, 2026WRIT PETITION No. 41928 of 2026

CNR No.: MPHC030280072026

*SMT. RATNAPRABHA SHAKYA**Versus**STATE OF MADHYA PRADESH AND OTHERS*

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Appearance:

*Shri H.K. Shukla with Shri Rajeev Shrivastava - Advocates for
petitioner.*

Smt. (Dr.) Anjali Gyanani - Public Prosecutor for the State.

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ORDER

Per. Justice Gurpal Singh Ahluwalia

The husband of the petitioner, namely, Shri Rajendra Singh, is present in the Court.

2. Shri Yashwant Goyal, Town Inspector, Police Station Maharajpura, is also present in the Court.

3. When the case was called in the first round, it was informed by Smt. Gyanani that the corpus has filed a writ petition before the Bombay High Court praying for protection of her life, liberty, dignity and personal safety, as well as for declaration that the corpus, being a major adult woman, is entitled, subject to law, to independently decide her place of residence,



education, profession, association, personal relationship and matrimonial future. An order has also been sought for the respondents No.2 to 4, i.e., Commissioner of Police, Mumbai; Deputy Commissioner of Police, Mumbai; Senior Inspector of Police, Malwani Police Station, Shahid Abdul Hamid Marg, near Gate No. 5 and New Mahakali Nagar, Malad West, Mumbai, to ensure that the corpus is not forcibly taken, confined with or handed over to respondent No.5, i.e., Rajendra Singh, father of the corpus. When the counsel for the State tried to find out the registration number of the writ petition, then no record was found on the website of the High Court of Bombay, accordingly, the State counsel prayed for pass over and, after half an hour, informed that they have succeeded in contacting the counsel who is going to file the writ petition and he has informed that the writ petition has not been filed so far, but would be filed during the course of the day.

4. It is submitted by Smt. Anjali Gyanani that when the bank accounts were checked, then it was found that the corpus has transferred some amount to an Advocate and, accordingly, when the police contacted the counsel, then he sent a copy of the draft petition through mail, which has been provided to the Court by Smt. Anjali Gyanani.

5. From this petition, it is clear that although the petition was prepared on 29/09/2026 but has not been filed so far.

6. Initially, it was informed by Smt. Gyanani that the counsel for corpus is not ready to bring the corpus before this Court through video conferencing and, therefore, we directed that the counsel may appear before this Court through video conferencing. When a link was sent to Shri A.S.



Sayyed, Advocate, the corpus joined the Court proceedings. It was submitted by the corpus that she has voluntarily come to Mumbai and has also secured a job. It was further submitted by the corpus that she is not under any illegal confinement.

7. The father of the corpus submitted that she was undergoing medical treatment for schizophrenia, and therefore, if the corpus is not willing to come back, then she should continue with her medical treatment.

8. This gesture shown by the father of the corpus was for the welfare of the corpus.

9. It was replied by the corpus that she has already contacted a Psychiatrist who has informed her that she is not suffering from schizophrenia, but he further informed that for the evaluation of her mental status, he would require an order from the Court.

10. It was submitted by the corpus that after evaluation, in case if it is found that she requires some medical treatment, then she would continue with that treatment. She further stated that in case if she realizes that she must come back to her parents, then she will do that, but she will do so on her own by taking an independent decision in that regard.

11. So far as the direction for evaluation of the mental condition of the corpus is concerned, since the corpus is intending to file a writ petition in the High Court of Judicature at Bombay, therefore, this Court expressed to the corpus that she can make a prayer in that writ petition seeking a direction for the evaluation of her mental condition. She submitted that she would certainly amend her petition and would seek a direction for concerning doctor



for evaluating her mental condition.

12. However, it was stated by the corpus that she is not in illegal confinement. She further stated that one Adnan Jabbar Sayyed has been made respondent No.8 because he is her friend.

13. It is submitted by the corpus that she is residing in a house and Azmi Nagar, Gate No.7, Near Kokani Chawl, M.D. Chawl, Akashwani, Malwani, Malad West, Mumbai, is the correct address, and she submitted that she is not residing with respondent No.8. She further submitted that this house belongs to one of her friends, but refused to disclose his name.

14. Be that whatever it may be.

15. From the copy of the writ petition which was supplied by Smt. Anjali Gyanani after receiving it through mail from counsel for the corpus, it is clear that the writ petition was prepared on 29.09.2026. Today, it is 06.10.2026 but still it has not been filed so far, in spite of the fact that a huge amount by way of fees was already transferred by corpus to her counsel. Why that petition has been kept pending is not known to us, therefore, this Court is of the considered opinion that the corpus must remain vigilant about her security.

16. Copy of the writ petition which was supplied by Smt. Gyanani is taken on record.

17. Once the corpus has expressed that she is residing in Mumbai out of her own volition and she is not in illegal confinement and she is an Advocate by profession, having got herself enrolled with the Bar Council of Madhya Pradesh in the month of September 2026, this Court is of the



considered opinion that no case is made out to proceed further with this petition.

18. With liberty to the corpus to live her life as per her own wishes, this petition is **dismissed**.

19. However, this Court would like to give an advice to the corpus that she should not break her ties completely with her parents and whenever she finds herself in a vulnerable condition or whenever she finds that the help of her parents is required, then she should not hesitate in contacting back her parents or coming back to her parental home.

(G. S. AHLUWALIA)
JUDGE

(ANURADHA SHUKLA)
JUDGE

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