



Meena

1 WP(F) 2830 2026

IN THE HIGH COURT OF BOMBAY AT GOA
WRIT PETITION NO.2830 OF 2026 (F)

ADV MALISA ZEMIRA SIMOES AND ANR

... PETITIONER

Versus

THE STATE OF GOA THR PUBLIC
PROSECUTOR

... RESPONDENT

WITH

WRIT PETITION NO. 2831 OF 2026 (F)

Ms. Norma Alvares, Senior Advocate with Mr. Om D'Costa,
Advocate for the Petitioners in WP No. 2830/2026 F.
Petitioners present in person in WP No. 2830/2026 F.

Mr. Mayank Suri, Advocate (through VC) for the Petitioners in
WP No.2831/2026 F.

Mr. Pravin Faldessai, Additional Public Prosecutor (through
VC).

Mr. Vijay Chodankar, PI of Panaji Police Station.

Mr. Nitin Halarnkar, PI of Pernem Police Station.

**CORAM:- VALMIKI MENEZES &
AMIT S. JAMSANDEKAR, JJ.**

DATED :- 11th October, 2026

P.C.:

1. This is a habeas corpus seeking the release of 7 persons with the
following names:

1. Miss Afreen Shaikh D/o Firoz Shaikh R/o H. No. 199, Vaddy Mercedes Tiswadi
2. Shri Jack Sukhija S/o Dr Maria Lilia De Sequeira R/o A-19/8, La-Marvel Colony, Dona Paula Panaji-Goa
3. Shri Bupesh Bind S/o Seshedhar Bind R/o H. No. 671, near Nik building, Kanten Baina, Vasco-Goa
4. Shri Aditya Parulekar S/o Brahmanand Parulekar R/o H. No. 210/3, Plot No 9, Lane-7, Valley View Colony Alto St Cruz, Tiswadi Goa
5. Shri Listan Noronha S/o Mathew Noronha R/o H. No. 116, near Holy Cross School, Sodiem, Siolim
6. Mr. Shamino Fernandes S/o A Velino R/o H. No. 189, Ambaulim, Quepem
7. Mr Milind Rane S/o Govindrao Rane R/o H. No. 424, Bhaherilwada Kerim Sattari-Goa.

2. The petition has been filed, according to the averments therein under the following circumstances:

a. The petition averred that the said 7 persons were detained at the Azad Maidan, Panaji this evening and bodily lifted from the location and taken to the Pernem Police Station where they were detained.

b. The petition also states that the Police Officers who are named in the petition provided no reason for detention.

c. According to the Petitioners there are no orders issued by the State Government under Section 163 of BNSS which prohibits any gathering at Azad Maidan, Panaji or any part of the location.

3. It is in these circumstances, the Petitioners seek the immediate production and release of the detainees from the custody of PI Pernem Police Station.

4. We have directed the learned Senior Advocate for the Petitioners to give notice to the Police Officers concerned i.e. PI of the Panaji Police Station and the PI of the Pernem Police Station, apart from the notice to the Public Prosecutor.

5. We have heard the PI Panaji Police Station - Mr. Vijay Chodankar and PI of Pernem Police Station - Mr. Nitin Halarnkar. The PI of Panaji Police Station submits that 7 persons named in

paragraph No.1 were detained at Azad Maidan, Panaji since they had applied for permission for public gathering which application has been rejected by Collector North Goa Panaji on 09.10.2026 denying permission for any public gathering or protest at Azad Maidan, Panaji on 11.10.2026. It is in this background that the 7 persons were detained and taken to the Pernem Police Station and are now being produced before Panaji SDM.

6. Considering that there are no prohibitory orders under Section 163 of the BNSS, we are of the opinion that the detention may not have been authorised. We are also informed that the Executive Magistrate Mr. Dattaprasad Toraskar, who was present at the site, had given oral instructions to the police to detain the 7 persons since they had barged into Azad Maidan, Panaji.

7. For the moment, without entering into controversy and the correctness of the detention order, considering that Ms. Alvares, learned Senior Advocate appearing on behalf of the detainees, gives an Undertaking that the detainees would not protest at Azad Maidan, Panaji tonight, we direct the PI Panaji Police Station to release the 7 persons named in paragraph No.1 above forthwith. This Undertaking given is without prejudice to the rights and contentions raised by the detainees.

8. We also direct that if the 7 persons volunteer to undergo a

medical check up tonight itself, they shall be produced before the Casualty Medical Officer (CMO) of the Goa Medical College, Bambolim, who shall examine them and prepare a report and submit the same to the Court tomorrow during the hearing.

9. We are also informed by both the Police Officers who have come online that the phones of the detainees were taken away and now the same have been returned to the detainees.

10. List this matter tomorrow, i.e. 12.10.2026, at 12 noon to enable the PIs of the Panaji Police Station, Pernem Police Station and the Executive Magistrate to file their affidavits.

11. The CMO of the Goa Medical College shall also place on record under sealed cover the results of the examination / Hurt Certificate, if any.

12. The Registrar (Judicial) shall transmit this order to the PI Panaji Police Station and PI Pernem Police Station through e-mail.

13. This order will be digitally signed by the Private Secretary/ Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

AMIT S. JAMSANDEKAR, J. VALMIKI MENEZES, J.