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

\+ W.P.(C) 9770/2026, CM APPL. 45530/2026 & CM APPL. 45531/2026

GITANJALI J. ANGMO .....Petitioner

Through: Mr. Kapil Sibal, Sr. Adv., Mr. Vivek Tankha, Sr. Adv., Mr. Akhil Sibal, Sr. Adv. with Ms. Bahuli Sharma, Ms. Susan Maria Mathew, Mr. Yoshit Jain, Mr. Suryaansh Kishan Razdan and Ms. Ridhi Arora, Advs., along with petitioner in person.
Mob: 9811319485
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versus

UNION OF INDIA & ORS. .....Respondents

Through: Mr. Tushar Mehta, Solicitor General of India, Mr. Chetan Sharma, Addl. Solicitor General of India, Mr. Ashish K. Dixit, CGSC with Mr. Umar Hashmi and Mr. Ayush Kumar, Advs. for R-1, 3 & 4, along with Dr. Charu Bamba (MS), Dr. Akshay Kumar (Prof. EMD), and Mr. Arin Choudhary, (Head EMD)
Mob: 9999900412
Email: ashishcgsc@gmail.com
Mr. Sameer Vashisht, Standing Counsel (Civil) GNCTD with Ms. Harshita Nathrani, Advs. for R-2 (Through VC)

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CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

O R D E R

% 19.07.2026

1. The present writ petition has been filed under Article 226 of the Constitution of India, 1950, seeking issuance of direction for taking Mr. Sonam Wangchuk from Safdarjung Hospital, New Delhi to any other medical facility of his own choice.

2. Learned Senior Counsel appearing for the petitioner submits that the petitioner has already spoken to Medanta Hospital, New Delhi, and that they wish to shift Mr. Sonam Wangchuk from Safdarjung Hospital, New Delhi to Medanta Hospital, Gurugram.

3. He further submits that they have no objection if the doctors from All India Institute for Medical Sciences ("AIIMS"), New Delhi and Safdarjung Hospital, New Delhi are associated with the said hospital, i.e., Medanta Hospital, Gurugram, for the purpose of treatment of Mr. Sonam Wangchuk.

4. Learned Senior Counsel appearing for the petitioner further submits that the petitioner has been on long hunger strikes even on previous occasions, to the extent of 30 to 35 days, and he has been able to withstand the same.

5. He further submits that Mr. Sonam Wangchuk has been confined to Safdarjung Hospital, New Delhi, without his or his family's consent.

6. Learned Senior Counsel appearing for the petitioner further submits that Mr. Sonam Wangchuk is not under detention, either for any offence or otherwise, and cannot be confined to the Safdarjung Hospital, against his and his family's wishes. He further submits that there are police personnel

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around the rooms of Mr. Sonam Wangchuk, and the same ought to not be there.

7. Issue notice. Notice is accepted by learned counsels appearing for the respondents.

8. Learned Additional Solicitor General of India ("ASG") appearing for the respondents submits that in view of the prevailing circumstances on account of the deteriorating health condition of Mr. Sonam Wangchuk, the government had to take the decision for shifting Mr. Sonam Wangchuk to the Safdarjung Hospital, New Delhi.

9. He further submits that the vital parameters of Mr. Sonam Wangchuk were progressively worsening.

10. He has further handed over the medical record of Mr. Sonam Wangchuk, as signed by the Head of Department, Medicine and Physician In-charge, who are part of the Medical Board which is supervising the medical condition of Mr. Sonam Wangchuk.

11. This Court has heard learned counsels appearing for the parties, as well as the doctors who are present in Court.

12. Submissions have been made before this Court by the Director of Safdarjung Hospital, New Delhi, as well as Dr. Akshay, from the Department of Emergency Medicine of AIIMS, New Delhi.

13. Having heard learned counsels appearing for the parties, as well as the doctors who are present before this Court, this Court notes that the petitioner's husband, i.e., Mr. Sonam Wangchuk had been fasting for a prolonged period as a protest, for approximately 17 to 18 days.

14. This Court further notes that the Division Bench of this Court *vide* order dated 16th July, 2026, in *W.P.(C) 9498/2026*, looking at the perilous

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medical situation of Mr. Sonam Wangchuk, on account of his prolonged fasting, passed the following order:

> *"xxx xxx xxx*
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> *4. Learned Solicitor General has, on instructions, stated that the health condition of Shri Sonam Wangchuk shall be regularly monitored on daily basis by Government Doctors/expert of the field. He further assures the Court that depending upon the opinion of the Doctors, whatever medical intervention/steps are needed to check the deteriorating health condition of Shri Sonam Wangchuk, shall also be taken.*
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> *5. While noting the assurances given by the learned Solicitor General, we only observe that life of every citizen is precious and all medical efforts ought to be made by the Government authorities to save the same. We appreciate the stance taken by the learned Solicitor General and, accordingly, direct that medical condition of Shri Sonam Wangchuk shall, clinically and otherwise, be regularly monitored on daily basis and depending on the opinion of the Doctors whatever medical intervention is required to check his deteriorating health condition, shall also be taken.*
>
> *xxx xxx xxx"*

15. This Court also takes note of the submission made by the learned ASG that it is on account of the perilous and deteriorating condition of Mr. Sonam Wangchuk, and in view of the clear directions as issued by the Division Bench of this Court as aforesaid, that the step to shift Mr. Sonam Wangchuk from the site of his fasting to the Safdarjung Hospital, New Delhi, was taken.

16. This Court is also informed that the sugar and sodium levels of Mr. Sonam Wangchuk are lower than the normal range. Further, this Court also takes into account the submission made before this Court that the potassium levels of Mr. Sonam Wangchuk are at dangerously low levels, which can lead to life threatening conditions.

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17. This Court also takes note of the submission made on behalf of the respondents that IV Fluids have not been given to Mr. Sonam Wangchuk, as of now, since he did not give consent to that.

18. Considering the overall conspectus of the facts and circumstances before this Court, this Court is of the *prima facie* view that since the government has taken the decision to shift Mr. Sonam Wangchuk to a hospital on account of his precarious medical condition, the same cannot be considered to be as an arbitrary action.

19. Further, it is to be noted that the doctors at Safdarjung Hospital, New Delhi are closely monitoring the health of Mr. Sonam Wangchuk and have only administered sugar free oral electrolytes, syrup potklor and potassium chloride, as per the consent of Mr. Sonam Wangchuk. Thus, it cannot be said that any force is being used against Mr. Sonam Wangchuk or that his bodily autonomy is being violated in any manner, whatsoever.

20. This Court also takes note of the submission made by learned Senior Counsel appearing for the petitioner that Mr. Sonam Wangchuk is not in detention and is a free citizen. However, the fact that Mr. Sonam Wangchuk was taken from the site of protest to a hospital, does not *prima facie* infringe the personal liberty of Mr. Sonam Wangchuk, as the said step was taken in furtherance of protection of his life, in view of his vulnerable medical condition on account of prolonged fasting.

21. Considering the fact that Mr. Sonam Wangchuk, on his own volition, did not check himself into any hospital facility in view of his deteriorating health condition, the government was under a bounden duty to take measures to ensure well-being of Mr. Sonam Wangchuk. As already stated by the Division Bench of this Court in the aforesaid order dated 16th July,

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2026, every life is precious and has to be taken care of.

22. This Court also takes note of the submission made by the learned ASG and the doctors who are present before this Court, that unlimited 24x7 access to meet Mr. Sonam Wangchuk is being given to his wife, brother and brother-in-law.

23. This Court also takes note of the fact that the family members of Mr. Sonam Wangchuk, as aforesaid, have been provided a separate room, so that they are able to spend time near Mr. Sonam Wangchuk and are not denied access to Mr. Sonam Wangchuk in any manner whatsoever.

24. This Court is informed that the aforesaid access is given to the family members of Mr. Sonam Wangchuk in an unprecedented manner, otherwise, as regards other patients, such access is given only during the visiting hours.

25. Considering the aforesaid, no case for interim orders is made out, at the present stage.

26. Let Status Report/reply be filed by the respondents within a period of three days from today, with advance copy to learned counsel appearing for the petitioner.

27. Response, if any, be filed by the petitioner, before the next date of hearing.

28. Needless to state, Mr. Sonam Wangchuk, if he so chooses, will cooperate with the doctors, with respect to any medical intervention, which is necessary in the facts and circumstances, considering his medical condition.

29. However, the ultimate decision with regard to the assessment of the medical condition of Mr. Sonam Wangchuk would be taken by the Medical Team attending Mr. Sonam Wangchuk, which shall take appropriate

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decision as per strict medical protocols to protect Mr. Sonam Wangchuk's life and ensure his safety. The Medical Team shall continuously monitor the vitals of Mr. Sonam Wangchuk.

30. At this stage, learned Senior Counsel appearing for the petitioner submits that medical reports of Mr. Sonam Wangchuk be provided to his family members. In response, learned ASG, on instructions, submits that the medical reports of Mr. Sonam Wangchuk shall be shared with his family members. The said statement is taken note of.

31. List for consideration on 24th July, 2026.

32. *Dasti* under the signatures of the Court Master.

MINI PUSHKARNA, J

JULY 19, 2026/SK

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