

COURT NO. 1  
ARMED FORCES TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

2.

OA 1918/2025

Med Asst II Aman Singh Rewar ..... Applicant  
(Thru Parokar) Jagmohan Singh Rewar (Father)

Versus

Union of India & Ors. .... Respondents

For Applicant : Mr. Ajit Kakkar, Advocate

For Respondents : Ms. Nehal Jain, Advocate

CORAM

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON

HON'BLE LT GEN C.P. MOHANTY, MEMBER (A)

ORDER

10.07.2025

Invoking the jurisdiction of this Tribunal under Section 14 of the Armed Forces Tribunal Act, 2007, the applicant has filed this OA. The reliefs sought in Para 8 of the application are as follows:

*(a) Direct the respondents to disclose the present status, location, and condition of the applicant, who has been held incommunicado since 12.05.2025.*

*(b) To direct the respondents to allow/permit immediate and regular communication between the applicant and his family, including telephonic, written or physical meetings, and allow the applicant's parents to visit and speak with him without unreasonable restriction;*

*(c) Direct the respondents to clarify whether any disciplinary proceedings, Board of Inquiry (BOI) or internal investigation is being conducted against the applicant, and if so, to supply complete copies of all relevant documents, orders, charge-sheets, summaries of evidence and statements to the applicant and his legal representative/family at the earliest;*

*(d) Pass direction to the respondents to ensure that no disciplinary action or ex parte proceedings are taken against the applicant without affording him a full opportunity of being heard, legal representation and due process of law;*

2. On issuance of notice, the respondents have filed a short affidavit bringing on record the grievances raised by

the applicant and explaining the position. The grievance raised in this OA filed by Mr. Jagmohan Singh Rewar as Parokar of the applicant, his son, Mr. Aman Singh Rewar, serving as a sailor in the Indian Navy has been untraceable and inaccessible since 12.05.2025. It is stated that without any formal order or intimation, the applicant appears to be under custody and his family has not been informed of his whereabouts, and no charge sheet, show cause notice, or disciplinary proceedings have been served upon the applicant. It is contended that continued custody of the applicant is unlawful, and his family members have not been permitted to communicate with or meet him. *Inter alia*, contending that the fundamental rights available under Article 14, 19, 21 and 22 of the Constitution of India have been violated, this OA have been filed.

3. Taking note of these allegations, this Tribunal had directed the respondents on 04.07.2025 to file a short affidavit clarifying the position. In compliance, a short affidavit sworn by Commodore Sandeep Sarna, Commodore (PS & PM (Navy)), Directorate of Personnel Services, Naval Headquarters, MoD, New Delhi, has been filed.

4. As per the affidavit, Mr. Jagmohan Singh Rewar, the Parokar is the father of the applicant. When Mr. Jagmohan

Singh Rewar visited INS Angre, Mumbai on 30.05.2025, he was informed by the authorities that his son was suspected of involvement in various theft cases, and that an investigation was underway. The affidavit indicates that the applicant's father has been in telephonic contact with the Provost Staff at INS Angre multiple times seeking clemency for his son. It is further stated that the applicant's father is a retired JCO from the Indian Army and that he was repeatedly informed that the matter was being dealt with according to law and that the safety of his son was the responsibility of the Indian Navy.

5. According to the short affidavit, the sailor/applicant was not in close custody between 30.05.2025 and 19.06.2025. During this period, he was free and participated in routine departmental activities. There were no restrictions on his movement or communication with his family.

6. The short affidavit further states that applicant while posted at INS Angre, Mumbai, was suspected of committing multiple thefts in the living blocks of the unit. Preliminary investigations revealed material indicating his involvement. Accordingly, disciplinary proceedings under the Navy Act, 1957 and the Navy (Part-II Statutory) Regulations, 1963 were initiated. A summary trial was conducted by the Commanding Officer, INS Angre, Mumbai on 26.06.2025.

All statutory procedures and safeguards were duly followed. The sailor was provided a Defending Officer, allowed to cross-examine prosecution witnesses, present defence witnesses and produce relevant documents. Upon conclusion of the trial, he was placed in close custody on 26.06.2025. Punishment warrant is under process in accordance with Regulation 195 read with Regulation 92 of the Navy (Part-II Statutory) Regulations, 1963.

7. As regards the charge sheet, summary of evidence, and other documents, it is indicated that following conclusion of the summary trial, the relevant documents are currently with the Headquarters of the Western Naval Command for onward transmission to Naval Headquarters for necessary approval and further action.

8. In view of the aforesaid, it is indicated in Para 11 of the short affidavit that detention of the sailor was necessitated on account of the following precautionary and administrative reasons and the three reasons given in Para 11 read as under:-

*11. Further, the detention was necessitated for the following precautionary and administrative reasons:-*

*(i) For his own safety, since he was allegedly involved in multiple theft cases, and victims or fellow sailors might have confronted him had he remained in general population.*

*(ii) To prevent self-harm or absconding, in light of the gravity of offences and psychological vulnerability.*

*(iii) Incidents of additional thefts (suspected) from the same block, although not part of the current investigation, could have led to confrontations.*


9. It is further submitted that there has been no blanket ban or denial of communication between the sailor and his family. He has spoken to his family members on 22.06.2025, 29.06.2025, and 04.07.2025. In compliance with this Tribunal's directions dated 04.07.2025, the sailor was permitted to make at least three telephone calls to his parents. The respondents have placed on record a communication register (Annexure RA/3), confirming that the sailor has been in touch with his family.

10. The respondents submit that all procedures under the Navy Act and Regulations are being followed. The sailor is in good physical and mental health, is medically monitored by a qualified officer on a daily basis and all necessary precautions are in place. From the short affidavit, it is evident that the applicant has been taken into custody in accordance with statutory provisions and no violation of constitutional or legal rights has occurred. The custody is in continuation of the ongoing departmental disciplinary proceedings.

11. In light of the above, we are of the view that no further indulgence is required at this stage. The respondents are already proceeding in accordance with law. However, it is directed that:

- a) The respondents shall continue with the departmental proceedings in accordance with applicable statutory rules and regulations.
- b) The applicant shall be provided, as per rules, all necessary documents and materials required for his defence.
- c) The respondents shall ensure that the applicant is allowed to communicate with his family and that his parents are permitted to meet him as and when permissible under rules.
- d) The disciplinary proceedings may be expedited, subject to the applicant's cooperation.

12. With these observations and directions, the OA stands disposed of.

  
[JUSTICE RAJENDRA MENON]  
CHAIRPERSON

  
[LT GEN C.P. MOHANTY]  
MEMBER (A)