

IN THE HIGH COURT OF DELHI

+ W.P.(CrI). No. 1171/2009

Date of decision: 9th September, 2009

Muniya ... Petitioner
through: Mr. M.M. Singh and Mr. S.K. Singh, Adv.

VERSUS

State (NCT of Delhi) & Ors. Respondents
through: Mr. Sanjeev Bhandari, ASC for the State.

CORAM:

HON'BLE MS. JUSTICE GITA MITTAL

1. Whether reporters of local papers may be allowed to see the Judgment?
2. To be referred to the Reporter or not?
3. Whether the judgment should be reported in the Digest?

GITA MITTAL, J(Oral)

1. By this petition, the petitioner has complained that he and his family have been attacked and compelled to leave their residence on account of certain incidents in the Madangir area. The petitioner's grievance is that despite their seeking police protection and help, the same has not been provided resulting in the petitioner and his family being compelled to leave their home. The petitioner also claims to have been a police informer on whose information several crimes have been solved in the area. A prayer is made in this petition for directions to the respondent to restore the petitioner and his family members to their house and to provide adequate protection to them.

2. A reply has been filed on behalf of the respondents under the signatures of the SHO of the police station Ambedkar Nagar pointing out several instances in which the petitioner stands implicated and the cases which are allegedly pending against him. It has been complained that the petition is a result of animosity between different groups of people in the Madangir area and that the petition is a pressure tactic on the part of the petitioner to demoralise the other residents of H-1st Block, Madangir, New Delhi.

3. I have heard learned counsel for the parties. It cannot be denied that even a person who stands implicated in criminal cases is entitled to equal protection of law. In case of any threat to his life and property, every citizen is entitled to seek the assistance of the police for protection thereof and the police is bound to provide the same. Therefore, the implication of the petitioner in cases which have been registered by the police would not disentitle either him or his family members to protection of their life and property.

Accordingly, this petition is disposed of with a direction to the respondents to ensure that as and when they are approached by the petitioner or his family with a complaint against any person, the same shall be inquired/investigated into in accordance with law.

Furthermore, any request for protection or assistance made by the petitioner or his family members shall also be examined and action in accordance with law taken thereon.

This writ petition is disposed of in the above terms.

It is made clear that nothing herein contained is an expression of opinion on the merits of the case urged by the parties against each other.

Dasti to parties.

Gita Mittal, J.

September 09, 2009

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