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

+ **W.P.(CRL) 222/2016**

KAHKASHAN SHAMIM Petitioner

Through: **Mr.Rajiv Bajaj, Advocate.**

versus

STATE GOVT OF NCT OF DELHI & ORS Respondents

Through: **Mr. Rajesh Mahajan, A.S.C. for the
State with SI Ashish Sharma, PS
Sadar Bazar.**

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

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10.02.2016

1. By filing the present petition, the petitioner is praying for issuance of directions to the State/R-1 to provide protection to her.
2. Status report has been filed by the State which is to the following effect :-

'On the basis of spot enquiry it is revealed that civil dispute arose between the present petitioner and the respondents on the question of having possession over the said property. The matter was brought before Hon'ble Civil Court at Tis Hazari where the petitioner was granted decree. Thereafter while getting possession over the said property through the bailiff deputed by Ld.Civil Court, the petitioner anticipated threat from the respondents and thus filed the present petition before this Hon'ble Court. It is also pertinent to mention here that the complainant has neither made a PCR call nor filed any complaint on the alleged date of incident. In the local enquiry no such facts emerged and hence the complaint given by the petitioner at PS Sadar Bazar Delhi was filed. The alleged Shamimuddin and Gulfam were also examined during the course of enquiry. They revealed that one tenant namely Mohd.

Ziaulla Rehman was residing on a monthly rent of 10,000 on the ground floor of the said premises and he used to pay rent to them. They further stated that Kahkashan suddenly came with the Baillif of the Court and took the possession of the premises in question. As they have told Kahkashan that they were going to file case against her in the Court as she had taken the possession by submitting false complaints against them to put pressure on them. They also stated that they have never given threat to her as she was residing in some other property and the petitioner has locked the property in question.'

3. Learned ASC for the State submits that there is absolutely no threat perception in this case. However, the Beat Constable has been sensitized and petitioner is at liberty to contact the local police/SHO if the situation so warrants.
4. The writ petition is dismissed as the inquiry is revealed that no threat perception in this case.
5. The writ petition is dismissed.

PRATIBHA RANI, J.

FEBRUARY 10, 2016

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