

\$~21

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 2047/2016**
HARMINDER SINGH Petitioner
Through : Mr. Rajan Bajaj, Adv.
versus
THE STATE (NCT OF DELHI) & ORS Respondents
Through : Mr. Avi Singh, ASC with Inspector
Vivek Maheshwari PS Delhi Cantt.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

%

09.09.2016

Learned counsel for petitioner submits that Kaushal @ Kimmi is accused in FIR No.396/2015 under Section 302 IPC registered at police station Delhi Cantt. Petitioner's son is witness in the said FIR. Kaushal @ Kimmi has not been arrested in the said case and he is absconding. In order to put pressure on the petitioner's son not to depose in the said matter, Kaushal @ Kimmi and his associates have been threatening the petitioner and his family members. On 14th June, 2016 at about 12:40 am, somebody knocked his door and when his son Uminder Singh opened the door, a gun shot was fired. Petitioner's son saw Kaushal @ Kimmi outside the house and on seeing him he sat in the car and fled away. Some other persons were also sitting in the said car. On the complaint of petitioner's son, FIR No.214/2016 under Section 440 IPC and 27/54/59 of the Arms Act was registered at police station Delhi Cantt on 14th June, 2016. Petitioner and his family apprehend danger their lives

from Kaushal @ Kimmi. It is further submitted that even prior to registration of the FIR under Section 302 IPC, Kaushal @ Kimmi had fired on petitioner's son in respect whereof FIR No.264/2015 under Sections 307/506/34 IPC and 25(54), 27 & 59 of the Arms Act was registered.

Status report has been filed. Learned additional standing counsel submits that name of accused is Ghan Shyam @ Kaushal @ Kimmi and he is absconding. Efforts are being made to arrest him. It is further submitted that on the complaint of petitioner's son, FIRs have already been registered and investigations are pending. A request letter dated 29th July, 2016 has already been written by the office of Deputy Commissioner of Police, South West District to Police Headquarters to assess the threat perception in respect of petitioner and his family members. It is further submitted that, in the interregnum, the local police of police station Delhi Cantt. is ensuring the safety and security of the petitioner and his family, by making regular visits at his residence as well as through specific patrolling in the area in odd hours.

In the above facts, writ petition is disposed of with the directions to respondent no.2 to ensure the safety of petitioner and his family members by taking appropriate measures, till the time accused is apprehended.

A.K. PATHAK, J.

SEPTEMBER 09, 2016/dk