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

+ **W.P.(CRL) 1005/2016**

SOURI CHARAN SAHOO MAHANT @ ORIYA BABA

..... Petitioner

Through: Ms. Suman Sharma, Advocate for
Mr. Narender Kumar Sharma,
Advocate

versus

STATE OF DELHI & ORS

..... Respondents

Through: Ms.Kamna Vohra, ASC for the State.
SI R.P. Yadav, PS Vasant Kunj,
South.
Dr. N.Pradeep Sharma, Adv. with
Mr. S.K. Rout, Adv. & Mr. Pawan
Kumar, Adv. for R-5 to R-9.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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20.04.2017

This petition was filed in March, 2016 with the prime prayer for directions for protection of the “life and liberty” of the petitioner. While issuing notice to the respondents, the court had directed the Station House Officer (SHO) of concerned Police Station Vasant Kunj (South) to ensure the safety and security of the petitioner. The said order was extended by subsequent order dated 13.05.2016 till 17.08.2016 while opportunity was given to the respondents no.5 to 9 to file reply, in as much as, allegations have been levelled against them of having indulged in certain acts of commission or omission resulting in harassment and humiliation being felt by the petitioner and he having felt threatened.

When the matter came up for effective hearing on 18.01.2017, adjournment was taken on behalf of the petitioner. Today, when the matter is taken up the counsel for the petitioner again seeks adjournment on the ground arguing counsel is not well. Noticeably, this was the ground even on the last date of hearing.

Reply on behalf of respondents no.5 to 9 has already come on record. The State has already filed status report of the inquiries made.

Heard.

It is clear that in the last one year after the petition had been filed and entertained, the petitioner has not filed any complaint against any of the private respondents. The averments in the petition, when seen in the light of the documents filed therewith, they particularly being in the nature of complaints to various authorities, including police dated 29.11.2015, 21.12.2015, 24.12.2015 and 26.02.2016, indicate that the dispute relates to certain transactions concerning a property. The petitioner has himself filed on record copies of the general power of attorney, agreement to sell, special power of attorney, copy of possession letter, etc. with regard to such transactions. It thus appears that he has had some grievances against the private respondents and has approached the competent authorities in that regard. But then, the status report indicates that some of those complaints were found to be incorrect, while the petitioner did not cooperate in the inquiries into some others.

The learned Additional Standing counsel for the State submits that the petitioner is not even living at the given address and that as and when he comes to the place, it having been described as office of a trust (in which he claims to be a *mahant*), due precaution is taken to ensure his well being.

In the facts and circumstances set out in the petition, it would be inappropriate to convert these proceedings into an exercise of investigation or inquiry into various complaints that the petitioner had filed the different authorities. The said complaints will have to be pursued for such action as is permissible in law for requisite remedies which the petitioner may be entitled to before the proper fora and following due process. For the present, it would be sufficient if the SHO of Police Station Vasant Kunj, (South) is directed to make available to the petitioner the contact telephone numbers of all concerned including of the SHO himself, divisional Officer and of the beat staff so that the petitioner may make immediate contact with them in case of fresh episode of he facing any threat to his life or well being. Similarly, the petitioner will make his own telephone contact available to the local police and also indicate the place of his residence. Ordered accordingly.

No further directions are called for in the present proceedings which are hereby closed.

Petition stands disposed of with these observations.

R.K.GAUBA, J.

APRIL 20, 2017
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