

S-25 & 26

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

+ **W.P.(CRL) 1400/2017**

POONAM & ORS.

... Petitioners

Represented by: **Manvendra Mishra, Advocate**

versus

THE STATE (NCT OF DELHI) & ORS.

.... Respondents

Represented by: **Mr.Mohit Sharma, Advocate**
for **Mr.Rajesh Mahan, ASC** for
the State with **SI Yogesh**
Kumar, PS Roop Nagar

+ **W.P.(CRL) 1718/2017**

MS SHIPA MASSEY & ORS

... Petitioners

Represented by: **Manvendra Mishra, Advocate**

versus

STATE (NCT OF DELHI) & ORS

... Respondents

Represented by: **Mr.Mohit Sharma, Advocate**
for **Mr.Rajesh Mahan, ASC** for
the State with **SI Yogesh**
Kumar, PS Roop Nagar

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

18.12.2017

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A Status Report has been filed in term of order dated 11th December, 2017. As per the Status Report, on 10th December, 2017, a PCR call

regarding stabbing was received at PS Roop Nagar. On reaching the hospital, the Investigating Officer received the MLCs of Amit, s/o Jokhu Ram and Aman, s/o Mahadev, the petitioner No.5 in WP(Crl.)1400/2017. Since both the parties were injured in the scuffle, cross FIRs bearing FIR No.300/2017 and FIR 301/2017 have already been registered.

By these petitions, the petitioners have sought directions to respondents No.1 to 4 that no harm is caused to the petitioners and seek protection from the employees, associates and workers of respondent No.5.

The grievance of the petitioner is that there is a dispute between respondent No.5 and one Ram Lal, wherein in one of the cases, petitioner No.1 in WP(Crl.) 1400/2017 stood as surety for Ram Lal. It is alleged by the petitioners that after the petitioner No.1 stood surety, the family of petitioner No.1 i.e. respondents No.2 to 5 who are now residing at House No.24, near Roshanara Club, Roshanara Bagh, Delhi, are being harassed. During the pendency of the petition, the petitioners have filed repeated applications for grant of protection. In the Status Report filed by the SHO, PS Roop Nagar, it is stated that there is a long standing dispute between Ram Lal and Roshanara Club for which several FIRs have been registered on the complaint of both the parties.

Learned proxy counsel for learned Additional Standing Counsel for the State on instructions informs that petitioners No.2, 3 and 5 in WP(Crl.)1400/2017 are associates of Ram Lal in as many as four cases besides the cross FIRs registered on 10th December, 2017. In respect of each of the complaints filed by the petitioners, a reply has been given and it is inter alia stated that repeated PCR calls are received from both the parties and on every call, action in accordance with law is taken. Qua the

allegations in Annexure P-2 on 30th January, 2017, a PCR call was received vide DD No.16A regarding quarrel at Roshanara Club and on the complaint of one 'IP' aged 13 years, FIR No.26/2017 under Sections 354B/323/506/34 IPC and Section 12 of the Protection of Children from Sexual Offences Act, 2012 (in short POCSO) has been registered at PS Roop Nagar wherein petitioners No.2, 3 and 5 in the WP(Crl.)1400/2017 are also involved. Further, on the complaint of one Sapan Gomes, resident of Roshanara Club staff quarters, FIR No.15/2017 under Section 379 IPC has been registered on 14th January, 2017 against Ram Lal and one of his associates i.e. petitioner No.3 in WP(Crl.)1400/2017. Further, on the complaint of one Mrs.Indra Merry Gomes, FIR No.16/2017 under Section 506/509 IPC has been registered against Ram Lal and petitioner No.3 in WP(Crl.)1400/2017 at PS Roop Nagar. On the complaint of petitioner No.1 FIR No.40/2017 has been registered 354B/506/509/34 IPC at PS Roop Nagar.

From the facts noted above, it is evident that there are constant FIRs for and against Ram Lal and the petitioners being the associates of Ram Lal, are also involved therein. In cases where parties are fighting with each other, there is constant quarrel and remedial actions are being taken by the State, no protection can be granted to the parties. However, SHO, PS Roop Nagar will be well advised to install CCTV cameras at strategic locations so as to be able to monitor any illegal activity being carried out there while ensuring the privacy of the individuals residing there.

In view of the observations made hereinabove, no further orders are required to be passed in these petitions.

Both the petitions are dismissed.

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CrI.M.A.Nos.9554/2017, 7733/2017, 16370/2017 and 16371/2017 in
W.P.(CRL) 1400/2017

CrI.M.A.No.9513/2017 in W.P.(CRL) 1718/2017

Dismissed as infructuous.



MUKTA GUPTA, J.

DECEMBER 18, 2017

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