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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 2538/2018**

ANIL GARG

..... Petitioner

Through: Mr. Ankit Mutreja, Advocate with
petitioner in person

versus

STATE GOVT. OF NCT OF DELHI

..... Respondent

Through: Ms. Nandita Rao, ASC with SI
Mahendra, PS Adarsh Nagar

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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28.08.2018

CRL.M.A. 30858/2018

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

W.P.(CRL) 2538/2018

The learned counsel for the petitioner states, upon instructions from the petitioner, who is present in the Court, that one Mr. Jai Prakash, who was staying as a tenant alongwith his sons, namely, Mr. Akhil Gupta, Mr. Amit Gupta and Mr. Rohit Gupta, has since vacated the tenanted premises owned by the present petitioner/complainant and that the latter has been put in the peaceful vacant possession of the said premises and he has informed the police about the same. An affidavit shall be filed to this effect, alongwith documents to show that the aforesaid tenants, against whom the petitioner has filed various complaints before the Police, have vacated the premises.

The learned counsel for the petitioner states that despite the aforesaid persons not being tenants of the petitioner, they continue to harass and threaten him, in particular, on the morning of 31.12.2016, an unknown person, with his face covered, had put a knife to his stomach and threatened him to either take back the FIR No. 171/2014 or get ready to be killed along with his family members”.

He further complains of another incident of 13.03.2016 when his erstwhile tenant's son, Mr. Akhil Gupta, had come to the petitioner's house along with his mother and sister-in-law and threatened the petitioner with dire consequences including filing a complaint of sexual assault against him. His complaint to the police has yielded no result.

Issue notice.

Ms. Nandita Rao, learned APP for State submits that the petitioner's complaint for registration of FIR in this regard is pending before the appropriate court. Therefore, this petition is pre-mature. She further submits that it is for the petitioner to lead his evidence for an early completion of the proceedings.

The learned counsel for the petitioner seeks to rely upon an order of the Metropolitan Magistrate, Rohini Court dated 01.06.2017, wherein the SHO, Adarsh Nagar, has been directed to ensure safety and the security of the complainant. In view of the above, the said SHO is directed to meet the complainant, assess the threat to him and accord him and his family due protection. Additionally, the petitioner shall be provided with telephone numbers of two police officers from the jurisdiction of the concerned Police Station. These numbers shall be kept operational at all times, so that any exigency can be intimated on either of the numbers by the petitioner.

It is assured to the Court that any message received on the said numbers or on any other telephone number of the police either by way of a telephone call or SMS shall be immediately responded to. Additionally, the Beat Constable/Division Staff of the area shall regularly visit the residence of the petitioner on a daily basis and report the same in the *Roznamcha*. The safety and security of the petitioner shall be assessed by the SHO on a weekly basis with due endorsement of the same in the *Roznamcha*. The Beat Constable shall record entries in his Beat Book.

No further orders are required at this stage.

The petition stands disposed-off accordingly.

A copy of this order be given *dasti* to the learned counsel for the parties under the signature of the Court Master.

NAJMI WAZIRI, J

AUGUST 28, 2018

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