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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 3194/2018**
MOHD. SARWAR RAZA

..... Petitioner

Through: Mr. Jayant Bhatta and Ms. Prachi Aggarwal, Advs.

versus

STATE & ORS.

..... Respondent

Through: Ms. Kamna Vohra, ASC for State

CORAM:
HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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16.10.2018

Crl. M.A. 34494/2018

Exemption allowed, subject to all just exceptions.

The application stands disposed off.

W.P.(CRL) 3194/2018

The petitioner, who is an accused of assault under FIR No. 121/2018 dated 10.04.2018, Police Station – Govind Puri under sections 354D/509 IPC and subsequently under section 376 IPC, seeks protection from intrusion into his personal life by respondent no. 4, the complainant of the aforesaid FIR. The petitioner has been granted bail in the said case by the Trial Court. It is stated by the learned counsel for the petitioner that the petitioner is a businessman and a concocted case has been planted upon him. He further submits that after he was granted bail by the Trial Court, the complainant has made more than 37 telephone calls to him in a span of two

months. He has been avoiding the calls but the complainant chooses different telephone numbers to speak to him.

A citizen, whether an accused or otherwise, cannot be harassed by anybody. However, the Court would note that no complaint has been made to the police in this regard. Accordingly, let this petition be treated as a presentation to the DCP of the area concerned by the petitioner who shall appear before him on 25.10.2018 at 11 am. The DCP concerned shall look into the matter and take appropriate action and other remedial measures, as may be required in this case. The prosecutrix too shall be sensitized.

The DCP shall also look into the matter as to why a male Investigating Officer is investigating a case under section 376 IPC and due protection shall be provided to the petitioner as per the threat perception as may be assessed by the police.

The petitioner shall be provided with telephone numbers of three 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. 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* for a month. 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* for a month. 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

OCTOBER 16, 2018/acm