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

+ **W.P.(CRL) 3342/2017**

SMT BABLI MISHRA

..... Petitioner

Represented by: Mr. Shafiullah, Adv.

versus

STATE (GOVT OF NCT OF DELHI) & ORS Respondent

Represented by: Mr. R.S. Kundu, ASC with Mr.
Bhagat Singh, Adv. with SI
Sandeep Kr., PS Sarita Vihar.
R-5 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

31.01.2018

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By this petition the petitioner seeks directions to the respondents to provide her Police protection.

Case of the petitioner is that respondent No.5 is an influential and notorious person. On the complaint of the petitioner FIR No.410/2016 under Sections 323/324/354/354B/452/509/34 IPC was registered against Ravi Kumar and his associates. It is further alleged that on 14th October, 2017 at about 6.30 PM Ravi Kumar gave beatings to the petitioner and caused her serious injuries on which another FIR being FIR No.332/2017 under Sections 323/354A/509/506/427 IPC was registered at PS Sarita Vihar. It is the case of the petitioner that Ravi Kumar and his associates are constantly threatening her, pressurizing her to withdraw her complaint cases and in this regard she made a detailed representation to the Commissioner of **W.P.(CRL) 3342/2017**

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Police, however no action was taken.

In response to the petition a status report has been filed. As per the status report on 14th October, 2017 DD No. 18A was received regarding quarrel at PS Sarita Vihar which was assigned to ASI Kamal Singh. ASI Kamal Singh along with HC Dalchand on reaching the spot found that the injured had been shifted to the hospital. ASI Kamal Singh recorded the statement of the petitioner at the AIIMS Trauma Centre who was discharged from the hospital immediately. As per the MLC the Doctor opined the nature of the injury to be simple. Petitioner refused to give her statement and stated that she would give her statement later. Later on petitioner gave a written complaint at PS Sarita Vihar on which FIR No.332/2017 as noted above was registered. During the course of investigation it was revealed that a patch of Government land is the root cause of dispute between the parties and both parties are lodging cases against each other.

As noted above on the complaint of the petitioner FIR No. 410/2016, 428/2016 and 332/2017 was registered against respondent No.5 and his family members whereas on the complaint of Smt. Kamlesh, mother of respondent No.5 FIR No.58/2017 under Sections 506/509/427/34 IPC and FIR No.352/2017 under Sections 323/354A/506/509/34 IPC have been registered against the petitioner and her associates. A kalandra under Sections 107/150 Cr.P.C. has since been invoked and both parties have been directed to maintain peace and tranquillity.

Considering that there are cross-FIRs against both the parties and the dispute is essentially unauthorized occupation of a Government land, this Court finds no ground to direct Police protection to be granted to the

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petitioner.

Petition is dismissed.

JANUARY 31, 2018
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MUKTA GUPTA, J.