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

+ W.P.(C) 7392/2019

MS. ALKA BHATIA

..... Petitioner

Through: Dr M. K. Gahlaut, Advocate.

versus

STATE NCT OF DELHI AND ORS.

..... Respondents

Through: Mr Anjum Javed, ASC, GNCTD with
Mr Devendra Kumar, Mr Faran
Ahmed and Ms Priti, Advocates for
R-1 and R-2 alongwith SHO Suresh
Kumar, PS Timarpur.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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12.07.2019

CM No. 30825/2019

1. Allowed, subject to all just exceptions.

W.P.(C) 7392/2019 & CM No.30826/2019

2. The petitioner has filed the present petition, *inter alia*, praying that directions be given to respondent nos.1 and 2 to protect, preserve and secure the right to privacy of the petitioner. The petitioner and respondent no.3 were married and there were matrimonial disputes between them. The said disputes were settled and the said parties consented to a decree of divorce by mutual consent.

3. The petitioner claims that she agreed to the said settlement, which did not entail payment of any maintenance to her, in order to buy peace.

4. It is the petitioner's grievance that despite the aforesaid settlement, respondent no.3 has been attempting to contact the petitioner. It is stated that he repeatedly attempts to call her on phone and uses filthy language. The petitioner has also annexed images of the phone screen indicating obscene messages claimed to have been received from respondent no.3 (Annexure P-4).

5. The petitioner claims that during the course of proceedings in HMA No.61310/2016, respondent no.3 had made the following statement:-

“I shall not make any kind of communications, either on what'sapp or otherwise and I shall not visit at the house of my wife and school of Riyansh and Krish and shall not chase her.

6. The petitioner has also alleged that on 11.06.2019, she received a call from respondent no.3 from mobile no.9773806433 on her mobile, wherein respondent no.3 used filthy language against the petitioner.

7. The learned counsel appearing for the petitioner states that the petitioner has a right to privacy and respondent no. 3 ought to be injuncted from trying to contact her.

8. Given the nature of allegations made in the present petition and the obscene messages, it would be apposite if the said complained is examined by the police authorities. In view of the above, respondent no.2, who is present in Court, is directed to consider the allegations made in the present petition and take necessary action, treating the same as a complaint. Respondent no.2 is also directed to ensure that the petitioner is provided adequate protection from respondent no.3.

9. The petition is disposed of with the aforesaid directions. The pending application is also disposed of.
10. Order *dasti* under signatures of the Court Master.

VIBHU BAKHRU, J

JULY 12, 2019
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