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

+ **W.P.(CRL) 3182/2018**

SH. NAGENDER KUMAR

..... Petitioner

Through: Mr.Kirti Uppal Sr. Adv. with
Mr.Vivek Sharma and Mr.Anshul
Garg, Advs.

versus

STATE & ANR.

..... Respondents

Through: Mr.Ranbir Singh Kundu, ASC for
State.
Inspector Shiv Dutt, PS Jyoti Nagar
with SI Ashwani.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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13.02.2019

The learned Additional Standing Counsel for the State submits that FIR has been registered and three persons have been arrested. A police personnel has been stationed at the petitioner's restaurant/ Vinayak Restaurant. However, Mr. Kirti Uppal, the learned Senior Advocate for the petitioner submits that the person so stationed is not a Delhi Police personnel but Home Guard. Mr. Kundu, the learned Additional Standing Counsel for the State assures the Court that due protection shall be provided to the petitioner in terms of such threat as may be assessed, in terms of the previous order. He also refers to the communication dated 21.11.2018, ACP North East District to the DCP Head Quarters, Delhi regarding the assessment of fresh threat and provision of security cover to the petitioner. The letter, *inter alia*, reads as under:-

“It is stated that a Sh. Nagender Kumar filed writ petition No. (CRL) 3182/2018 in the Hon'ble High Court against Sonu Rathi who has threatened the complainant namely Nagender Kumar. In this regard a case FIR No.358/18, U/s. 323, 506 IPC & 27 Arms Act has been got registered in P.S. Jyoti Nagar, Delhi (Copy enclosed).

Further, Hon'ble High Court has passed the directions for the security of Nagender Kumar (copy enclosed).

In this regard, a local threat assessment got conducted SHO/Jyoti Nagar vide which SHO/Jyoti Nagar stated that beat staff is regularly visiting to Nagender Kumar & follow all directions of Hon'ble High Court. The accused persons are gangsters of western U.P., so the security may please be continued.

In view of the above, it is, therefore, requested that a fresh threat assessment about the security cover to Sh. Nagender Kumar may kindly be got conducted through DCP/Spl. Cell Delhi and the same may be conveyed to this office on priority basis”.

The aforesaid communication between the senior police officials fairly records that since the accused persons are gangsters of western U.P., therefore, the security may be continued. In the circumstances, the court is of the view that appropriate security of police personnel be made available to the petitioner.

The petition stands disposed-off in the above terms with liberty to the petitioner to approach the court in case of difficulty.

NAJMI WAZIRI, J.

FEBRUARY 13, 2019

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