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

+ **W.P.(CRL) 3392/2018 & CRL.M.A. 35684/2018**

ANOOP CHAUDHARY

..... Petitioner

Through Mr K.C. Mittal, Senior Advocate with
Ms Ruchika Mittal, Mr Yugansh Mittal, Mr Amit
P. Shahi, Advocates.

versus

STATE & ORS.

..... Respondents

Through Ms Kusum Dhalla, APP.
Ms Kamna Vohra, ASC for State.
SI Harkesh Meena, P.S. Tilak Marg, N.D.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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29.11.2019

1. The petitioner has filed the present petition, *inter alia*, praying as under:-

“i. Issue an appropriate writ, order or direction directing the respondent to provide police protection to the petitioner; and

ii. Issue an appropriate writ, order or direction may please be passed directing the Police to register FIR and prosecute the persons involved in the acts of crime against the petitioner;”

2. The petitioner states that he was forced to travel to Delhi on 14.07.2018, under threat from one Mr Manjeet Singh. He alleges that he was called to house No. C/2/32, Tilak Lane, New Delhi under the pretext of

certain work. He alleges that on reaching the said residence, Manjeet Singh along with his other associates had proceeded to restrain him. They used a derogatory term against him. He alleges that a shot was also fired from a rifle next to the petitioner to intimidate him. He states that thereafter, the assailants proceeded to rob him of his watch, gold bracelet and also made him to transfer ₹5 lakhs online into two bank accounts provided by the assailants. He states that he was forced to sign three cheques of ₹20 lakhs each, as well as certain blank papers. He was then released at about 9.00 p.m. He states that thereafter, he filed a complaint on 16.07.2018 but no action has been taken against the assailants and an FIR has not been registered.

3. A status report has been filed, wherein it is stated that inquiries had been made from Manjeet Singh and Rakesh Kumar Khandelwal. They stated that the petitioner was their business associate and was carrying on business of exporting carpets from Jaipur, under the name and style of M/s Sethi Exports. It is their allegation that the petitioner had promised to arrange funds of ₹25 crores but had failed to do so. It is stated that an FIR has also been lodged by Mr Rakesh Kumar Khandelwal (FIR No. 252/2018 under Section 420 IPC at Police Station Shyam Nagar, Jaipur, Rajasthan). They alleged that on becoming aware of the FIR, the petitioner had come to Delhi and had settled the disputes by transferring ₹3 lakhs into the account of one friend and had issued three cheques amounting to ₹20 lakhs, each totalling ₹60 lakhs, however, the cheques were dishonoured as the petitioner had instructed the bank to stop payment. It is also stated that on the date of the incident, that is on 14.08.2018, the petitioner did not make any complaint even though the Police station was less than 500 metres away. The petitioner

had also not made any calls to the PCR.

4. Considering the controversy involved in this case, this Court does not consider it apposite to issue any direction for registration of the FIR. However, this would not preclude the petitioner to avail of the alternate remedies in this regard.

5. Insofar as the petitioner's prayer that he requires police protection is concerned, it is seen that the petitioner is a resident of Ghaziabad and does not reside in Delhi.

6. This Court does not find any material on record, which would warrant issuance of any such directions. It is brought on record that the petitioner has made certain allegations and the question whether the same warrants providing any police protection, is a matter to be considered by the concerned authorities.

7. In view of the above, this Court directs the concerned authorities to evaluate threat perception, if any, and if warranted provide such security, as the concerned authorities consider necessary.

8. The petition is disposed of in the aforesaid terms. The pending application is also disposed of.

VIBHU BAKHRU, J

NOVEMBER 29, 2019

pkv