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IN THE HIGH COURT OF DELHI AT NEW DELHI

W.P.(CRL) 924/2020

ABDUL SATTAR

..... Petitioner

Through : Mr.Faran Ahmed, Advocate.

versus

STATE

..... Respondent

Through : Ms.Nandita Rao, ASC for the State.

CORAM:

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

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16.06.2020

1. The hearing has been conducted through Video Conferencing.

CrI.M.A.No.7710/2020

2. Exemption allowed, subject to the condition that petitioner will file the duly sworn/attested affidavit and the requisite Court fee within 72 hours from the date of resumption of the regular functioning of this Court.

3. The application stands disposed of.

CrI.M.A.No.7709/2020

4. Exemption allowed, subject to all just exceptions.

5. The application stands disposed of.

W.P.(CRL) 924/2020

6. This writ petition is filed with the following prayer:-

"1. Direct the Respondent to take immediate and appropriate action on the complaint made by the petitioner dated 08.06.2020 at PS Bara Hindurao;

2. xxx;

3.xxx."

7. Essentially, it's a dispute between the petitioner and his step mother / brothers qua the division of the property. The petitioner is allegedly residing in a room of the said property whereas his step

mother/brothers intend to sell the same; but since the petitioner was not inclined to sell his share in the property, he was allegedly given beatings and MLC was prepared.

8. A compromise was arrived at between the parties 04.06.2020 but when he returned to the property he allegedly found the lock of his room broke open and his belongings were stolen. A DD entry bearing No.40A dated 08.06.2020 under Section 506, 451, 351, 380, 323 IPC was lodged at PS Bada Hindurao, but it is stated the police has failed to take any further action.

9. However the learned ASC for the State submits the facts so stated are false since the petitioner is residing in the same property at its first floor. An enquiry was made by the police authorities on the complaint of the petitioner but the petitioner failed to show any ownership documents of the said property. It is stated appropriate action shall be taken by police authorities based upon his complaint in due course.

10. Since the dispute pertains to the partition of property it cannot be dealt with by this Court in writ jurisdiction. Hence, the petition stands disposed of with a direction to the State to take appropriate action on the *DD dated 08.06.2020* as per law. Pending applications, if any, also stands disposed of.

11. No order as to costs.

YOGESH KHANNA, J.

JUNE 16, 2020

DU/M