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

Date of decision: 27th July, 2020

\+ **W.P.(C) 3628/2020 & CM APPLs. 12926/2020, 12927/2020**

BHAWNA BHATI ..... Petitioner

Through: Mr. Divyesh Pratap Singh, Ms. Deeksha Gaur & Mr. Shantanu Sharma, Advocates (M-9999091167)

versus

STATE (NCT OF DELHI) & ANR. ..... Respondents

Through: Mr. Satyakam, ASC for R-1 & 2 with SI Neeraj, PS Pandav Nagar
Mr. Anil Mittal, Advocate for UP Govt. (M-981006442)

CORAM:
JUSTICE PRATHIBA M. SINGH

Prathiba M. Singh, J. (Oral)

1. This hearing has been held through video conferencing.

2. The Petitioner has filed the present petition challenging the arbitrary domiciliary visits to her residence by the police. According to her, this is violative of Article 21 of the Constitution of India. Mr. Divyesh Pratap Singh, ld. counsel for Petitioner submits, that the Petitioner is living in the said premises along with her mother and despite the fact that only two ladies are residing in the premises, no lady constable has been accompanying the visiting police team.

3. On the last date of hearing, Delhi Police had appeared and submitted that as per the status report which they had obtained, they were informed that visits were made by the Uttar Pradesh Police to the Petitioner's residence in the context of investigation against Mr. Anil Kumar Bhati, who

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is the cousin of the Petitioner.

4. On 19th June, 2020, notice was issued to the Director General (Police), Government of Uttar Pradesh to file the status report. The status report has been filed and today, Mr. Anil Mittal, ld. counsel has appeared for DG (Police), Govt. of U.P. Mr. Mittal, ld. counsel submits that Mr. Anil Bhati is required in two FIRs which are being investigated by the Gautam Budh Nagar, Noida Police and it is submitted that in the context of this investigation, the police had visited the premises of the Petitioner.

5. Mr. Divyesh Pratap Singh, ld. counsel submits that Mr. Anil Bhati lives in a different building, situated opposite the house of the Petitioner and their flat numbers are separate. Thus, the Petitioner should not be disturbed in any manner.

6. After hearing all the ld. counsels for the parties and perusing the stand of the parties, it is directed that in future, whenever Police needs to conduct any investigation and in view thereof needs to visit the Petitioner's residence, they shall ensure that the visit takes place between 7:00 am to 6:00 pm and that a lady constable would be present with them.

7. Further, if the U.P. Police needs to visits the premises of the Petitioner, they shall be accompanied by the Delhi Police, since the premises are located in Delhi. Any such visits shall be in accordance with law.

8. The rights and remedies of the Petitioner are left open. With the above observations, the present petition is disposed of. All pending applications are also disposed of.

PRATHIBA M. SINGH, J

JULY 27, 2020
Rahul/A

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