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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 5852/2020 & CM APPL. 21146/2020**
SANJAY KUMAR

..... Petitioner

Through: Mr. Shiv Charan Garg, Adv.

versus

THE STATE & ORS.

..... Respondents

Through: Mr. Satyakam, ASC of GNCTD/R1 to
R-4. Alongwith SI Praveen, PS Sabzi
Mandi.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER
% **08.09.2020**

This petition has been heard through video conferencing.

1. This petition has been filed by the petitioner stating that the petitioner is a witness in F.I.R. No. 0106/2016 registered under Section 302/25/27/54/59 of the Indian Penal Code, 1860 and the Arms Act, 1959 by the Police Station Maurice Nagar, Delhi. On 06.03.2020, when he had visited the Court for giving deposition in relation to the said case, he claims that he and the IO were threatened by the accused.
2. Based on the complaint made by the petitioner, the respondent has registered a NCR No. 19/2020 dated 24.04.2020 under Section 506 of the IPC.
3. The petitioner submits that the complaint discloses further offences of which cognizance has not been taken by the respondents.
4. In my opinion, if the petitioner is aggrieved by the above action of the

respondent, the petitioner has to take appropriate legal remedy in this regard.

5. The learned counsel for the petitioner further submits that the petitioner has filed a complaint dated 29.05.2020 alleging connivance of certain police official.

6. It is directed that the respondent shall look into this complaint remaining uninfluenced by any observation made by this Court in the present petition.

7. The petitioner has further prayed for grant of protection/security.

8. In the Status Report filed by the respondent it has been asserted that if the petitioner has any apprehension, the contact numbers of the SHO of Police Station Sabzi Mandi and chowki incharge Tis Hazari have been shared with the petitioner and they can be contacted at any time. It is further asserted that the final decision on the application of the petitioner for security shall be taken after due conduct of threat assessment through Special Cell/Delhi Police and the process in this regard has already been initiated.

9. Keeping in view the submission of the petitioner that the trial in the criminal case is now listed on 09.09.2020 and it is admitted that the petitioner was threatened on 06.03.2020 by the accused when he last appeared before the Trial Court, while awaiting the final decision on the threat assessment of the petitioner, the respondent no. 3 is directed to depute a constable to accompany the petitioner to the Court, who shall remain there during the hearing as also accompany the petitioner on his way back to his residence/place of work. The process of decision on threat perception of the petitioner shall also be expedited and further necessary action thereon, if so recommended, shall be taken without delay.

10. The petition is disposed of with the above direction.

NAVIN CHAWLA, J

SEPTEMBER 8, 2020/rv