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

+ **W.P.(CRL) 355/2024**

RATAN KARMAKAR

.....Petitioner

Through: Mr. Ghanshyam Yadav, Advocate.

versus

STATE NCT OF DELHI & ORS.

.....Respondents

Through: Mr. Sanjay Lao, SC for State with SI
Vidyakar Pathak, PS Mohan Garden

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

23.05.2025

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[Physical Hearing/Hybrid Hearing (as per request)]

CRL.M.A. 16119/2025 (exemption)

1. Allowed, subject to all just exceptions.

CRL.M.A. 16118/2025 (Directions)

2. By way of order dated 02.02.2024, the writ petition of the applicant was disposed of by the predecessor bench after hearing both sides, recording the submission of the learned Standing Counsel that the petitioner would be provided protection and in that regard, mobile phone number of Beat Officer would be provided to him.

3. After the above mentioned disposal in February 2024, no further complaint was lodged by the applicant before the police in connection with the said protection issue. Now in May 2025, the writ petitioner by this application seeks following directions:



“It is therefore, most respectfully prayed that in the facts and circumstances of the case this Hon'ble Court may kindly be graciously pleased to:

- i) pass an order/direction in the nature thereof directing the respondent no.1 Station House Officer of Police Station Mohan Garden, Delhi-59 to provide necessary protection with adequate safety of property and the life of the petitioner so that they can live peacefully with dignity in the home i.e. WE-8A Rama Park Road, Mohan Garden, Delhi-59.*
- ii) Direct to the SHO concerned to take legal action respondent no. 2,3,4 and 5 as per law.*
- iii) Pass an order to compensate the petitioner as deem fit and proper in the light of facts and circumstances of the case.*
- iv) Pass such other and further order which this Hon'ble Court may deem fit just and proper, in the interest of justice.”*

4. At the outset, learned counsel for applicant contended that he confines the present application only to seek directions to the SHO to restore his possession over the subject premises.

5. Learned Standing Counsel appearing on advance intimation strongly objects and discloses that the applicant owes money to a number of investors, and when they contact him, he files such proceedings.

6. Learned counsel for applicant admits that a civil suit has already been filed by him against the private respondents pertaining to the subject property and the said suit is pending.

7. It appears that the present application has been filed with the oblique purpose of using police machinery in connection with remedy available under civil law. The application is completely devoid of merit and frivolous,



so dismissed with costs of Rs.10,000/- to be deposited by the applicant with the DHCLSC within one week.

GIRISH KATHPALIA, J

MAY 23, 2025/ry

[Click here to check corrigendum, if any](#)