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

+ W.P.(CRL) 629/2024

SHYAM KUMAR

..... Petitioner

Through: Mr.Adileshwar, Mr.Dhirendra
Singh, Mr.Sudhir Kumar,
Mr.Dishant Singh and
Mr.Navdeep, Advs.

versus

STATE OF NCT OF DELHI

..... Respondent

Through: Mr.Rahul Tyagi, ASC with SI
Johny Kumar and SI Kailash
Chand Meena

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

28.02.2024

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1. This petition has been filed by the petitioner under Article 226 of the Constitution of India read with Section 482 Code of Criminal Procedure, praying for a direction to the respondent no.1 to provide police protection to the petitioner and his minor daughter, and to further take appropriate steps for the safety of the petitioner from the respondent nos.2 to 5 as they are threatening and harassing the petitioner.
2. It is alleged that the minor daughter of the petitioner, who is aged around 16 years, was earlier induced by the respondent no.2, who is aged around 21 to 23 years, to go with him on a false pretext of marriage. On a complaint of the petitioner, FIR no.326/2023 was registered at Police Station: Uttam Nagar under Section 363 Indian Penal Code, 1860 (in short 'IPC'), naming respondent no.2 as a suspect.



3. As the police failed to search for the minor daughter of the petitioner, the petitioner filed a *Habeas Corpus* petition, being W.P.(Crl.) no.1938/2023, titled ***Shyam Kumar v. State of NCT of Delhi***. This Court, by its order dated 13.07.2023, directed the police to file a status report elaborating therein the steps taken by them for searching the daughter of the petitioner. On 18.07.2023, the minor daughter of the petitioner was produced before the Court, and on 19.07.2023, her custody was handed over to the petitioner from the Child Welfare Committee and since then the minor daughter of the petitioner has been residing with the petitioner, under his custody.
4. It is stated that the respondent no.2, however, continues to threaten the daughter of the petitioner as well as the petitioner and his other family members and is harassing them by sending abusive messages and making abusive calls to them through his own mobile number and as also the mobile of his family members and friends.
5. Notice on this petition was issued on 23.02.2024. It was further directed that the daughter of the petitioner shall also remain present in Court on the next date of hearing.
6. Today I have interacted with the daughter of the petitioner. She states that she is being continuously harassed by the respondent no.2. She submits that the respondent no.2 is also in possession of her photographs which he threatened to misuse.
7. I have also interacted with the parents of the petitioner as well as parents of the respondent no.2.



8. The respondent no.2 was also directed to remain present in person in before this Court for today's hearing. However, he has not come to Court.
9. The learned Additional Standing Counsel (Criminal) has handed over a Status Report dated 28.02.2024, which states that based on the statement of the petitioner, FIR no.100/2024 has been registered at P.S. Uttam Nagar, under Sections 354D/506/509 of the IPC and Section 12 of the Prevention of Children from Sexual Offenses Act, 2012. The Status Report is taken on record.
10. Keeping in view the above circumstances, and without in any manner expressing any opinion on the contents of the present petition, it is directed that the SHO of the concerned police station shall share his own mobile number as also the number of the Beat Constable and the IO in FIR no.100/2024 referred to hereinabove, with the petitioner and his daughter.
11. In case the petitioner, his family members, including the daughter, perceive any threat from the respondent nos.2 to 5 or any of their acquaintances, they shall be entitled to immediately report the same to any of the abovementioned Officers/officials and the said Officers/officials shall immediately act upon receiving such a complaint.
12. The petition is disposed of with the above directions.

NAVIN CHAWLA, J

FEBRUARY 28, 2024

RN/am

Click here to check corrigendum, if any