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

+ **W.P.(CRL) 787/2024**

GAURAV

..... Petitioner

Through: Dr. M.K. Gahlaut and Ms. Himanshi
Gahlaut, Advs. (through VC).

versus

**STATE NCT OF DELHI THROUGH COMMISSIONER OF
POLICE & ORS.**

..... Respondents

Through: Mr. Amol Sinha, ASC (Crl.) for State
with Mr. Kshitiz Garg & Mr. Ashvini
Kumar, Advs. with SI Sushik Kr. P.S.
Kalkaji.

**CORAM:
HON'BLE MR. JUSTICE AMIT SHARMA**

ORDER

14.03.2024

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CRL.M.A. 7356/2024 (Exemption)

1. Exemption allowed, subject to just exceptions.
2. The application is accordingly disposed of.

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3. The present petition under Article 226 of the Constitution of India read with Section 482 of the Cr.P.C. seeks the following prayers:-

“In view of facts and circumstances and submissions made above, it is therefore most respectfully prayed that this Hon’ble Court may be pleased to:

- i. Pass a writ/order/direction in the nature of mandamus in favour of the petitioner and against the respondents No.1 and 2 thereby directing the respondents No.1 and 2 to grant the protection, safety and security



to the precious life of the petitioner.

Any other order/relief/direction may also kindly be passed in favour of the petitioner and against the respondents as this Hon'ble Court may deems fit, just and proper according to the facts and circumstances of the present case.”

4. Learned counsel for the petitioner submits that petitioner is receiving threats from respondent no.3 and 4 and in view of the same, the aforesaid prayers are sought.
5. Learned Additional Standing Counsel has handed up in Court the Status report dated 13.03.2024 authored by Insp. Rakesh Kumar, SHO Kalkaji, Delhi, and the same is taken on record.
6. It is pointed out that therein that there is a dispute between respondent no.3 and the present petitioner with regard to the construction of 4th floor on the terrace of the petitioner. It is pointed out that a civil suit being CS SCJ 1526/22 is already pending between the parties. It is further recorded that on account of multiple complaints made by both the petitioner and respondent no.3 against each other, preventive action under Section 107/150 of the Cr.P.C. has been taken against the said persons *vide* DD No. 54 dated 09.03.2024.
7. In view of the above, this Court finds no reason to pass the orders in respect of the prayers as sought in the present petition.
8. The petition is dismissed and disposed of.
9. Pending application(s), if any, also stands disposed of.

AMIT SHARMA, J

MARCH 14, 2024/nk