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

+ **W.P.(CRL) 960/2024**

SIMRAN GUPTA AND ANR.

..... Petitioners

Through: Mr. R. Singh and Mr. Shiv Shankar,
Advocates.

versus

UOI AND OTHERS

..... Respondents

Through: Mr. Rajesh Kumar, CGSC and
Mr. Vedansh Anand, G.P. with
Mr. Sunil and Mr. Satyanand Kumar,
Advocates for UOI / R-1.
Mr. Sanjeev Bhandari, ASC with
Ms. Anvita Bhandari, Mr. Kunal
Mittal, Mr. Arjit Sharma and
Mr. Vaibhav Vats, Advocates for R-2
to R-4 with SI Sunil Kumar, P.S.:
Special Cell and SI Dilsukh, P.S.: K.
N. Katju Marg.

CORAM:

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

ORDER

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22.03.2024

1. Petition under Article 226/227 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been preferred on behalf of the petitioners with the following prayer :

“Issue an appropriate Writ/Order thereby directing the Respondents to give Y category security to petitioners at least.”

2. Learned CGSC for respondent No. 1 / UOI and learned ASC for respondent Nos. 2 to 4 / State appear on advance notice.

3. Learned counsel for the petitioners submits that since petitioners are involved in activities for social upliftment of a particular community, they are receiving threats and facing difficulties in following up the cases



instituted by them in other States. It is urged that pursuant to applications filed before Witness Protection Committee, orders were passed for providing round the clock security to the petitioner, but the security provided by State is insufficient.

4. Learned ASC for the State submits that security is provided to the individuals based upon threat perception as well as assessment made by the Competent Authority in this regard. It is also pointed out that an FIR No. 0035/2024 dated 23.02.2024 stands registered at P.S.: Clock Tower, District Ajmer, Rajasthan, under Sections 295(A) and 505 IPC against petitioner No. 1. Apart from above, two other FIRs were earlier registered against petitioner No. 1 (i.e. FIR No. 0357/2010, under Sections 384/387/411/34 IPC, P.S.: Seemapuri, Shahdara District and FIR No. 0064/2012, under Sections 20/61/85 NDPS Act, P.S.: K.N. Katju Marg, Rohini District).

5. Learned ASC further states that a PSO has already been provided to petitioners based upon threat perception and the same shall be reassessed in view of change of circumstances, if any.

6. Taking the statement of learned ASC for the State on record, petition is accordingly disposed of with directions to respondent Nos. 2 to 4 to reassess threat perception of petitioners and take requisite measures in accordance with law. Pending applications, if any, also stand disposed of.

ANOOP KUMAR MENDIRATTA, J.

MARCH 22, 2024/R