



\$~38

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

+ **W.P.(CRL) 1065/2022**

VARUN JAIN ADVOCATE

..... Petitioner

Through: None.

versus

STATE NCT OF DELHI & ORS.

..... Respondents

Through: Ms. Rupali Bandhopadhyaya, ASC for
State with Mr. Abhijeet Kumar, Advocate along
with ASI Anil Kumar, PS: Sarai Rohilla.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

02.04.2024

%

CRL.M.A. 8918/2022

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

W.P.(CRL) 1065/2022

3. None for the Petitioner.
4. This writ petition was filed on behalf of the Petitioner under Article 226 of the Constitution of India read with Section 482 Cr.P.C. seeking a writ in the nature of *mandamus* directing Respondents No. 1 to 3 to grant protection, safety and security to the Petitioner, who is stated to be an Advocate by profession. The relief claimed is as follows:-

“i. Pass a writ/order/direction in the nature of mandamus in favour of the Petitioner and against the respondents No. 1 to 3 to grant the protection, safety and security to the precious life of the Petitioner.”

5. Status report has been filed on behalf of the State.



6. It is stated that on 13.04.2022, a PCR call was received complaining that 4-5 boys had come to beat the caller. After receiving the call, ASI Anil reached the spot where Petitioner/complainant was found who told the police official that he will come to the police station and give a written complaint and that the persons, who had come to beat him, had run away from the spot. Thereafter, Petitioner came to the police station and gave a written complaint against one Parveen Kumar Sharma and his son along with 5 to 6 other persons, alleging that they had illegally detained him and were giving threats to kill him if he assisted one Rohit Gill in the pending legal proceedings. On his complaint, FIR No. 252/2022 dated 14.04.2022 was registered under Sections 341/506 IPC at PS: Sarai Rohilla and investigation was initiated. During investigation, CCTV footages of the places near the spot of incident were checked, however, no person was found. Statements of two persons, who were present nearby, were recorded and they also stated that they had not seen any quarrel or beating. Petitioner, however, insisted that there were two eye-witnesses to the incident and he produced one Inder Bahadur Patel @ Ram Bahadur before the Investigating Officer for recording of his statement, who stated that on 30.04.2022 between 5.00-6.00 PM, one boy came on a scooter and started speaking to the Petitioner in a wrong manner and threatened him to withdraw the case, after which 3-4 more boys on 2-3 scooters also came there but he cannot identify them. It is stated in the status report that the investigation is going on and one Harsh Sharma has been arrested but released on bail as the offence is bailable. Further, in compliance of order dated 09.05.2022 passed by this Court, mobile number of the Beat Officer of concerned area has been provided to the Petitioner for any assistance. Besides, the



mobile number of Investigating Officer has also been provided to the Petitioner.

7. Considering the limited relief claimed in the present petition and taking note of the status report, wherein it is stated that investigation is being conducted and the mobile number of the Beat Officer of the area has been provided to the Petitioner, on which he is at liberty to call, if required, no further order is required to be passed and the petition is accordingly disposed of.

JYOTI SINGH, J

APRIL 02, 2024/shivam/DV