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

+ **W.P.(CRL) 1423/2022**

H S SHARMA

..... Petitioner

Through: Petitioner in person

versus

STATE GOVT OF NCT OF DELHI

..... Respondent

Through: Mr. Amol Sinha, ASC for State

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

14.02.2024

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1. This petition has been filed on behalf of the Petitioner seeking the following reliefs:

“A. Issue an appropriate Writ/Order direction in the nature of Mandamus commanding the Respondent to lodge an FIR against the accused persons as mentioned in Complaint no. 80 date 23.06.2022 at Police Station-Hauz Khas, Delhi in the interest of Justice.

B. Issue an appropriate Writ/Order direction in nature of Mandamus commanding the Respondent to ensure the safety and security of the Petitioner and his staff, life, liberty and property.”

2. Status report has been filed. In a nutshell, the case of the State is that Petitioner is in occupation of the lower ground floor of property bearing No. P-5, South Extension, Part-II, New Delhi, where one Jaivir Singh also resides on the ground floor. Petitioner complained that on 22.06.2022 and 23.06.2022, nephew of Jaivir Singh trespassed into his office/property several times and Jaivir and his associate Amandeep threatened him and damaged his property apart from blocking Petitioner's access to his property by parking vehicles in front of the office and obstructing his employees/staff to enter the office. On 24.06.2022, Jaivir and other occupants of the property



also made a complaint against the Petitioner and his son alleging that after the property was desealed by MCD in 2021 and Jaivir entered the property, he found that the staircase to his property had been broken by the Petitioner and he had also installed an air conditioner near the stairs. Jaivir also alleged that Petitioner threatened to implicate him in false criminal cases. Inquiry was conducted into both the complaints and apprehending breach of peace preventive action under Section 107/150 Cr.P.C. was taken against both the parties. No substance was found in the allegation of the Petitioner that nephew of Jaivir trespassed into his property and/or Jaivir and his associates threatened him. Nonetheless, as directed by this Court, mobile numbers of Beat Officer and concerned SHO have been provided to the Petitioner and Petitioner is in constant touch with them. In case of any further need or assistance, Petitioner is at liberty to contact on the said mobile numbers and necessary assistance shall be provided, as per law.

3. On perusal of the status report, this Court is of the view that substantive part of the relief sought has been redressed and it is open to the Petitioner to contact on the mobile numbers given in case of any need or assistance. Insofar as direction to the Respondent to lodge an FIR with respect to the allegations in complaint No. 80, lodged by the Petitioner is concerned, it is open to the Petitioner to take recourse to remedies available in law, if so advised.

4. Writ petition stands disposed of in the aforesaid terms.

JYOTI SINGH, J

FEBRUARY 14, 2024/NS/shivam