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IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(CRL) 1513/2024 & CRL.M.A. 14773/2024
MRS. MOHINDER KAUR THROUGH ITS GPA
HOLDER MRS. MALTI GUPTA Petitioner
Through: Mrs. Malti Gupta
(Petitioner in person)

versus

THE STATE NCT OF DELHI Respondent
Through: Mr. Sanjeev Bhandari,
ASC for the State with Ms.
Anvita Bhandari, Mr.
Kunal Mittal, Ms. Charu
Sharma, Mr. Arjit Sharma
& Mr. Vaibhav Vats,
Advs.
Insp. Sunil Kumar, SI
Sunil Kumar, PS-South
Campus

CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER
14.05.2024

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1. The present petition is filed seeking directions to the Police to initiate action on the complaint given by the petitioner.
2. The petitioner had given a complaint on 06.04.2024, alleging that the property bearing no. D-82, Anand Niketan, which belongs to the petitioner has been trespassed by one person, namely, Mahesh Vijay Gopal.
3. It is also alleged that Mahesh Vijay Gopal had also prepared some forged documents.
4. The learned Standing Counsel for the State, at the outset, submits that the complaint has, in fact, been received and has been inquired into. He submits that appropriate action would be



taken expeditiously.

5. In regard to the prayer that the respondent be directed to get the property vacated from the alleged possession of Mahesh Vijay Gopal and hand over the physical possession to the petitioner, it is rightly submitted on behalf of the State that the Police may not have the power in terms of the provisions of Code of Criminal Procedure, 1973 to take the possession from one person and hand over the same to another.

6. He submits that even otherwise, the said aspect that the possession has, in fact, been taken illegally is to be inquired into.

7. In view of the above, no orders are required to be passed at this stage.

8. Needless to say, the petitioner is at liberty to approach this Court in case any grievance remains. The petitioner is also at liberty to initiate proceedings in relation to possession of the property been allegedly taken from her illegally.

9. The petition is disposed of in the aforesaid terms.

AMIT MAHAJAN, J

MAY 14, 2024
“SS”