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

+ **W.P.(CRL) 2473/2023**

SH. RAM BABU GUPTA & ANR. Petitioners

Through: Counsel (Appearance not given).

versus

STATE AND OTHERS Respondents

Through: Mr. Yasir Rauf Ansari, ASC for the State with Mr. Alok Sharma and Mr. Vasu Agarwal, Advocates and with SI Kuldeep Bhati, P.S. Madhu Vihar. Mr. Mukesh Gupta, Advocate for R-2.

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

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16.01.2024

1. The instant petition under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been filed on behalf of petitioner seeking following prayer:

“(a) Issue Direction to the concerned Police Station to protect the petitioners from domestic Violence in the hands of the respondent 1-4.

(b) Direct the Senior Citizen Cell of Delhi Police to monitor the distress of the Petitioners as they are being manhandled by the Respondents 1-4/ sons and daughters in law.

(c) Such other or further orders which this Hon'ble Court deem fit and proper in the facts and circumstances of the Case and in the interest of Justice.”

2. Brief facts of the case are that petitioner no. 1 had purchased the



subject property on 20.12.1994 for Rs. 80,000/-, which was constructed and developed by him. It is stated that since June 2021, respondents had been constantly misbehaving, abusing and torturing the petitioners and were threatening to kill them. On 02.07.2021, petitioner no. 1 made a complaint to the Police Station Madhu Vihar, and an Inquiry Officer was assigned. On 27.02.2023, respondent nos. 1 to 4 threatened the petitioners, after which petitioners filed a complaint under Section 156(3) and under Section 200 of the Code of Criminal Procedure, ('Cr.P.C.'). It is stated that on 01.03.2023, respondents beat the petitioners and the petitioners thereafter lodged a complaint with the Police Station, but no action was taken by the Police. Hence, this petition was filed.

3. Heard the submissions on behalf of petitioner as well as the State.
4. Considering the overall facts and circumstances of the case, and the fact that petitioners have prayed for protection of their life as they are apprehending threat from accused persons, the petitioners are directed to provide their mobile numbers to the Investigating Officer and SHO. Similarly, the mobile numbers of concerned IO, SHO and beat constable be also shared with the petitioner.
5. The officials of P.S. Madhu Vihar including SHO are directed to provide adequate protection to the petitioner from accused persons, in case such circumstances arise.
6. Learned counsel for petitioners states that they are satisfied with the aforesaid arrangement.
7. Accordingly, the present writ petition stands disposed of in above terms.



8. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

JANUARY 16, 2024/at

Click here to check corrigendum, if any