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

+ **W.P.(CRL) 2689/2023**

SH SATWANT SINGH CHANI

..... Petitioner

Through: Mr. Nishant Solanki, Advocate.

versus

THE STATE AND ORS.

..... Respondents

Through: Ms. Rupali Bandhopadhyaya, ASC with
Mr. Abhijeet Kumar, Advocate for
State along with SI Sudeep Kumar,
P.S. Bindapur, New Delhi.

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER
29.04.2024

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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) Pass a writ/writs, order/orders, direction /directions thereby directing the respondent Nos.1 to 4 to provide appropriate police protection to the petitioners as well as their family members in the interest of justice.

(b) Pass a writ/writs, order/orders, direction /directions thereby directing the respondent No.1 to 4 to take appropriate and stringent action against the accused persons on the complaints/FIR lodged by the petitioners, in the interest of justice.



2. Brief facts of the present case are that the accused persons herein are the neighbours of the petitioners since last four years and have been creating hurdles in the daily lives of the petitioner. It is alleged that the accused persons have been extending life threats to the petitioners herein and have also threatened them to falsely implicate them in a POCSO case. It has been further alleged in the petition that the accused persons continuously play loud music at night to intentionally harass the petitioners herein.
3. Furthermore, there have been instances where the accused persons block the path of the petitioners herein. It is also alleged in the petition that petitioner no. 2 had submitted her grievances/complaint to the police officials as well as other law enforcing agencies through e-mail but no action has been taken till date. Henceforth, present petition has been filed seeking protection.
4. Learned counsel for the petitioners submits that the petitioner no. 1 is a senior citizen having multiple health issues and that the accused persons have been violating petitioners' right under Article 21 enshrined by the Constitution of India. It is further stated that neither any complaint nor any action has been taken by the police officials or other law enforcing agencies.
5. Henceforth, the petitioners be granted the protection as prayed for.
6. Considering the overall facts and circumstances of the case, and the fact that petitioner has prayed for protection of his life as he is apprehending threat from accused persons, the petitioner is directed to provide his mobile number to the Investigating Officer and SHO. Similarly, the mobile numbers of concerned IO, SHO and beat constable be also shared with the petitioner.
7. The officials of P.S. Bindapur, Delhi including SHO are directed to provide adequate protection to the petitioner from accused persons, in case



such circumstances arise.

8. As far as the registration of FIR is concerned, the learned counsel will approach the learned Magistrate in this regard, which will be decided expeditiously.

9. Thus, the petition is disposed of in the above terms.

10. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

APRIL 29, 2024/hs

Click here to check corrigendum, if any