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

+ **W.P.(CRL) 2984/2023 & CRL.M.As. 27811/2023, 33398/2023**

N B S GUJRAL

.....Petitioner

Through: Mr. R.K. Sinha, Advocate through
VC.

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Sanjay Lao, Standing Counsel,
Crl. for State.
S.I. Dilsukh, PS KNK Marg, Delhi.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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06.08.2024

1. The present Petition under Articles 226 and 227 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 has been filed on behalf of the petitioner seeking the following prayers: -

“i. Issue an appropriate Writ order or direction in the nature of mandamus or any other appropriate Writ, order or direction to be passed against the administration/authorities/Delhi police for securing the life and property of the Petitioner from Respondent No.2 urgently;

ii. Issue an appropriate Writ order or direction or FIR against the Respondent No.2 for attacking, continuous torturing, beating, threatening, harassing, mistreating and using filthy languages against the Petitioner;

iii. Issue an appropriate order or direction against the Respondent No.2 for vacating the house property of the Petitioner immediately. As Respondent No.2 has dishonestly obtained the Personal Property of the Petitioner And the petitioner should be reinstated to his home.”



2. Learned Standing Counsel for the State, on instructions from the Investigating Officer who is present in the Court, submits that all the requisite protection for securing the life of the petitioner has been made available.

3. He further submits that the mobile number of the Beat Constable and of concerned SHO has already been shared with the petitioner. Moreover, as per the guidelines, the Beat Constable visits the petitioner/senior citizen regularly and all the protection possible is being provided to the petitioner.

4. In respect of relief No. 2 of the petitioner being continuously tortured, harassed and mistreated by the respondent No. 2, it has been informed that a Non-cognizable Report (NCR) has already been registered but the same being in nature of non-cognizable offence and no offence has been disclosed, therefore, no action has been taken by the Police vis-a-viz., the said NCR.

5. The third prayer made by the petitioner is that the respondent No. 2 be directed to vacate the house. It is an unfortunate situation where the daughter is in occupation of the house and it is the father who feels humiliated. However, the relief being sought by the petitioner by way of prayer No. 3 is civil in nature and the remedy for the same lies in the Civil Court, for which the petitioner is at liberty to initiate the appropriate proceedings before the appropriate forum or else, he may resort to any other remedy available under law to seek the possession.

6. In the aforesaid terms, the petition along with pending applications stands disposed of.

NEENA BANSAL KRISHNA, J

AUGUST 6, 2024/s.Sharma