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

+ **W.P.(CRL) 2116/2024**

MOH.SAMSAAD ALI.

.....Petitioner

Through: Mr. M. Tripathi, Mr. Satish Kumar
and Ms. Savita, Advocates.

versus

GOVT. OF NCT OF DELHI. & ORS.

.....Respondents

Through: Mr. Sanjeev Bhandari, ASC with Ms.
Anvita Bhandari, Ms. Charu Sharma,
Mr. Arjit Sharma and Mr. Vaibh
Vats, Advocates for the State.
ACP Vijay Pal Singh, Insp. Dinesh
Chandra, PS Khajuri Khas.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

16.07.2024

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1. Petitioner has approached this Court with the following prayers:

“1. Direct the respondent no.1 to 4 to register the FIR under appropriate sections of Bhartiya N ayay Sanhita 2023 & against the accused persons for kidnapping and assault.

2. Direct the Respondent no.1 to 4 to insure the safety and security of the Petitioner's minor son as there is a life threat to this minor child.

3. Any other and further relief which this Hon' ble Court deems fit and proper in the circumstance of the present case.”



2. When suggested by this Court that in view of the Judgment passed by the Apex Court in Sakiri Basu vs. State of UP, (2008) 2 SCC 409, and Priyanka Srivastava vs. State of UP, (2015) 6 SCC 287, the correct course of action for the Petitioner is to follow Sections 173 and 175 of the Bharatiya Nagarik Suraksha Sanhita 2023, learned Counsel for the Petitioner states that he will not press the present Petition at this juncture and will take such steps as may be available to the Petitioner in accordance with law.
3. The Petitioner has also prayed for a direction to the Police for the safety and security of the Petitioner's minor son.
4. Though it is stated that the Petitioner's son is not minor, however, in view of the fact that it is the duty of the Police to ensure security and safety of all citizens irrespective of their age, Respondents No.1 to 4 are directed to provide proper security to the Petitioner and his family members by ensuring that the Beat Constable visits the premises of the Petitioner and the Mobile Number of the concerned SHO be provided to the Petitioner so that in case of emergency help can reach the Petitioner.
5. The concerned ACP, who is present in Court today, ensures this Court that proper steps will be taken to ensure safety of the Petitioner and his family members.
6. In view of the above, nothing survives in the present Writ Petition and the same is disposed of along with the pending applications, if any.

SUBRAMONIUM PRASAD, J

JULY 16, 2024

Rahul