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

+ **W.P.(CRL) 3349/2023**

MR. FATEH SINGH & ANR.

..... Petitioners

Through: **Mr. M. Hasibuddin, Advocate**

versus

THE STATE (GOVT. OF N.C.T. OF DELHI) & ORS.... Respondents

Through: **Mr. Anand V. Khatri, ASC for the
State with SI Rajiv Gautam, P.S.
Badarpur**

**Mr. Shiv Kumar Gautam, Mr. Shanu
Ansari and Ms. Niharika Kashyap,
Advocates for respondents nos. 3 to 6
alongwith R-3 to 6 in person**

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

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11.01.2024

1. The instant petition under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 has been filed on behalf of petitioners seeking issuance of direction to respondent no.1/State to provide adequate protection to the petitioners from respondent nos. 3 to 6.
2. Briefly stated the facts of the present case are that petitioner no. 1 had been elected as a President and petitioner no.2 had been elected as a General Secretary of The Buddhist Society of India (Regd.) Delhi for the branch office Dhamm Darshi, Budh Vihar, Tajpur Pahadi, Badarpur, New Delhi-110044. It is stated in the petition that respondent nos. 3 to 6 were also



associated with the same society and had held the post of President, Vice-President, Executive Member and Cashier/Treasurer respective till 26.08.2023. It is further stated in the writ petition that due to removal of respondent nos. 3 to 6 from their respective posts of the society, they had been annoyed from the petitioners herein and had started creating nuisance in the temple and had misbehaved with the monks. It is further stated in the writ petition that respondent nos. 3 to 6 had tried to take over the branch office of the said society forcibly from the petitioners by using anti-social elements in and around their houses and had further extended threats to the petitioners herein. Therefore, protection be provided to the petitioners, as prayed for.

3. Learned counsel for petitioners states that since the officials of respondent no.2 were well aware about the ongoing tussles among respondent no.3 to 6 and petitioners, so they had refused to extend any support to the petitioners in case of their emergent calls. It is vehemently stated that rather the police officials indirectly encouraged respondent no.3 to 6 and their associates by not taking any actions against their illegal acts. It is further stated that on 27.10.2023 petitioner no.1 then gave a representation before respondent no.1 and 2 to extend protection to the petitioners from respondent no.3 to 6 and their associates but no action on the part of the officials of respondent no.2 have been taken till date.

4. Respondent nos. 3 to 6 who are present before the Court state that the allegations are false against them and thus, are to harass them.

5. In such circumstances and the facts mentioned above, the Investigating Officer (IO), SI Rajiv Gautam, P.S. Badarpur who is present in Court today, states that the telephone numbers of SHO, P.S. Badarpur, Beat



Constable and the IO have been shared with the petitioners. He further submits that as and when the petitioner feels any threat, he will be at liberty to contact them. It is further directed that the concerned officials will give protection to the petitioners herein immediately.

6. In view of the above, learned counsel for the petitioners states that he is satisfied with this arrangement.
7. With these directions, the petition stands disposed of.
8. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

JANUARY 11, 2024/ns

Click here to check corrigendum, if any