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

+ **W.P.(CRL) 3427/2023**

ASHOK KUMAR KHURANA & ORS.

..... Petitioners

Through: Mr. Rajiv Maini & Ms. Shriya Maini,
Advocates.

versus

STATE OF NCT OF DELHI & ORS.

..... Respondents

Through: Ms. Nandita Rao, ASC for the State
with SI Kaplianhang, P.S.: Kirti
Nagar.

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

04.04.2024

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1. The present writ 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 the petitioners, seeking the issuance of directions to the State to provide immediate protection to the petitioner, and his family on account of serious life threats, issued by his real brother.

2. Brief facts of the case are that on 14.09.2023, a legal notice was sent by the petitioner to his real brother namely Mr. Surinder Khurana and his wife, qua the unlawful registration and illegal transfer effectuated by them, wherein, they had unto themselves by fraud transferred immovable property admeasuring 2 Bighas 7 Biswas. It is stated that upon receiving the legal notice, the petitioner's real brother started extending life threats to the petitioner and his family, threatening them of dire consequences and showing blatant disregard for the rule of law. Strongly fearing for his own



life and safety of his family, a Police complaint was lodged by the petitioner. However, no update qua the status of provision of protection sought by the petitioner has been received. Despite making several efforts, no satisfactory answer or any investigation was carried out in the said case, neither did the competent authorities provided protection to the petitioner and his family members. Therefore, it is prayed that protection be granted to the petitioners against the respondents.

3. This Court has heard the submissions on behalf of petitioners as well as the State.

4. In view of the above discussion, it is directed that the petition herein be treated as a representation, by the DCP concerned, who will pass an order within three months, in accordance with law, regarding any criminal action, required to be taken by the concerned Police Station, under intimation to the petitioner herein.

5. This Court notes that as far as rest of the prayers are concerned, the same cannot be the subject matter of writ jurisdiction, and the petitioners herein have to approach appropriate authorities in accordance with law.

6. Considering the overall facts and circumstances of the case, and the fact that petitioner has prayed for protection of his life as well as of his family as he is apprehending threat from respondents. In these circumstances, the petitioner is directed to provide his mobile number to the concerned Investigating Officer and SHO. Similarly, the mobile numbers of concerned IO, SHO and beat constable be also shared with the petitioners.

7. The officials of P.S. Kirti Nagar, Delhi, including SHO are directed to provide adequate protection to the petitioners from the above-mentioned persons, in case such circumstances arise.



8. Learned counsel for petitioners states that he is satisfied with the aforesaid arrangement.
9. Accordingly, the present writ petition stands disposed of in above terms.
10. The order be uploaded on the website forthwith.

APRIL 4, 2024/at

SWARANA KANTA SHARMA, J

Click here to check corrigendum, if any