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

+ **W.P.(CRL) 2635/2024**

RUKHSAR MUJAHID MASROOR

.....Petitioner

Through: Mr. Khalid Akhtar, Mr. Abdullah
Akhtar and Mr. ACI Humam,
Advocates.

versus

STATE OF NCT OF DELHI AND ORS

.....Respondents

Through: Mr. Y.R. Ansari, ASC for the State
with Mr. Alok Sharma and Mr. Vasu
Agarwal, Advocates with SI Prince
Kr., P.S.: Mandawali.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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29.08.2024

CRL.M.A. 25834/2024 (exemption)

Exemption granted, subject to just exceptions.

The application stands disposed of.

W.P.(CRL) 2635/2024

By way of the present petition filed under Article 226 of the Constitution of India read with section 528 of Bharatiya Nagarik Suraksha Sanhita 2023, the petitioner principally seeks three reliefs, *one*, she seeks a protective order against the illegal actions stated to be committed by respondents Nos.2 to 5 in the context of her matrimonial disputes with respondent No.2; *two*, she seeks a direction to respondents Nos.2 to 5 to restore the electricity connection of what is alleged to be the 'shared household' that she resides in; and *three*, she seeks an order restraining the said respondents from forcibly dispossessing her and her minor son from shared household.



2. The record shows that the petitioner had filed an application under section 12 of the Protection of Women from Domestic Violence Act, 2005 ('DV Act') on 02.07.2024, on which application the learned Judicial Magistrate First Class, Mahila Court-02, East, Delhi has already issued certain directions *vide* order dated 05.07.2024, including a direction to the concerned S.H.O. to provide assistance to the petitioner as and when she asks for it.
3. Insofar as the question of the electricity connection at what the petitioner claims to be her 'shared household', the petitioner, who has joined *via* video-conferencing confirms that her electricity connection has now been restored.
4. In the circumstances, in the opinion of this court, no ground is made-out for entertaining the present petition in the extraordinary jurisdiction of this court.
5. The petition is accordingly disposed-of, directing the petitioner to pursue her remedies under the DV Act.
6. By way of abundant caution however, the SHO concerned is directed to ensure the physical safety and security of the petitioner and her minor child, who resides at the subject premises.
7. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

AUGUST 29, 2024/ak