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

+ **W.P.(CRL) 3808/2023**

SH SAMAI RAM AND ANR

.....Petitioners

Through: None.

versus

THE STATE NCT OF DELHI AND ORS

.....Respondents

Through: Mr. Anand V. Khatri, ASC (Crl.) with
Mr. Ashish Ruhil and Ms. Neelu,
Advocates for State along with SI
Ankur P.S. Sultanpuri.

Mr. Archit Upadhayay, Advocate
(DHCLSC) for R-4 along with R-4 in
person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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05.12.2024

1. By way of the present petition, the petitioners seek the following prayers:

“a. Direct the respondent no 1 to 3 to provide security to the petitioner no.1 & 2 for ensuring the security of the life of the petitioners by the hands of the respondent no. 4 & 5.

b. Direct the respondent no. 1 to 3 lodged the FIR against respondent no.4 & 5.”

2. Present none for the petitioners.

3. With the assistance of learned ASC and learned counsel for the respondent No.4, this Court has perused the paper book.

3. The petitioners are parents of respondent No.4, while respondent no.5



is the daughter-in-law of the petitioners.

4. The matter was taken up for consideration on 23.01.2024 and passed the following order :

“6. Learned counsel for the petitioners states that the petitioners are senior citizen. It is stated that respondent no. 4 is the son and respondent no. 5 is daughter-in-law of the petitioners. It is stated that respondent no. 4 and 5 got married with each other as per Hindu Rites and ceremonies at Delhi. It is stated that respondent nos. 4 and 5 started residing at property No.C-1/194, Sultan Puri, Delhi-110086 since 2021 without the consent and permission of the petitioners. It is stated that initially the behaviour of the respondent no.4 and 5 was good towards the petitioners, but during the course of time, there was tremendous change in the behaviour of the respondent no.4 and 5. The respondent no.4 and 5 were immense disrespectful and even the respondent no.4 and 5 had inflicted immense cruelties on the petitioners, despite the fact that the petitioners are suffering from multiple ailments and they are under medical treatment. It is stated that petitioner no .1 had purchased the above said property in the name of his wife i.e. petitioner no. 2 on 03.12.2020 for the survival of himself and his wife by the rental income in his old age,because the said property is built-up consisting of Ground Floor, First Floor and Second Floor. Further, respondent no. 4 and 5 had illegally, unlawfully and forcefully occupied the ground floor and second floor of the said property without any prior permission of the petitioners in the year 2021. It is stated that the respondent no.4 is living at the Ground floor of said property alongwith the respondent no.5 and the respondent no.4 and 5 had occupied with the household articles in the second floor. It is stated that respondent no.4 and 5 are treating the petitioners with all sorts of cruelties. It is pertinent to mention here that the respondent no.4 and 5 had also been using the abusive language against the petitioners with a sole motive to grab all the property of the petitioners. It is stated that petitioners had given a written complaint to the SHO concerned but did not help the petitioners and rather suggested them to file a case in a Senior Citizen Act.

7. This Court has heard submissions on behalf of petitioner as well as the State and has perused the material placed on record.

8. Considering the overall facts and circumstances of the case, and the fact that petitioners have prayed for protection of their life as they are apprehending threat from respondent nos. 4 and 5, the petitioners are directed to provide their mobile numbers to the Investigating Officer and SHO. Similarly, the mobile numbers of concerned IO, SHO and beat constable be also shared with the petitioners.



9. The officials of P.S. Sultan Puri, Delhi including SHO are directed to provide adequate protection to the petitioners from respondent no. 4 and 5, in case such circumstances arise till the next date of hearing.”

5. Mr. Khatri, on instructions, states that on 05.12.2023, a *Kalandra* under Sections 107/151 Cr.P.C was drawn against respondent no.4 who was subsequently released on furnishing bond. He further states that parties are also litigating before civil court.

6. The petition is disposed of with directions to the SHO to ensure life and safety of the petitioners.

7. Insofar as the prayer ‘b’ is concerned, the petitioner would at liberty to seek remedy in accordance with law.

MANOJ KUMAR OHRI, J

DECEMBER 05, 2024/ssc