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

+ **W.P.(CRL) 15/2024**

AMIN UR REHMAN

.....Petitioner

Through: **Mr.Jasbir Singh Malik and
Mr.Rashim Bath, Advocates**

versus

STATE GOVT OF NCT OF DELHI

.....Respondent

Through: **Mr.Amol Sinha, ASC (Crl.) for State
with Mr.Kshitiz Garg, Mr.Ashvini
Kumari and Ms.Chavi Lazarus,
Advocates with ASI Om Prakash,
P.S. Sarai Rohilla**

CORAM:

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

ORDER

05.09.2024

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CRL.M.A. 26810/2024 & W.P.(CRL) 15/2024

1. An application under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been preferred on behalf of petitioner for directing respondent No.2/DCP, North District, New Delhi to ensure safety of life and property of the petitioner.
2. Issue notice. Learned ASC for State/respondents appears on advance notice and accepts notice.
3. In brief, petitioner claims to be the recorded owner of property measuring 5 bighas 13 biswas in Khewat No.66 Khatauni No.142 in the area of Village Chowkri Mubarakbad, New Rohtak Road, Near Railway Line, Sarai Rohilla, Delhi. Further a complaint to DCP alongwith other authorities is stated to have been made by petitioner on 01.04.2021 alleging that some anti-social elements tried to trespass the property with intention to raise



illegal construction.

4. On the other hand, status report has been filed on behalf of State/respondent No.1, which reflects that ownership of aforesaid property is disputed by government agency i.e. DSIIDC which had stopped the work carried out by petitioner. It is further submitted that the dispute as to ownership of property needs to be resolved through civil litigation, in case, petitioner has any grievance against DSIIDC.

5. Apparently, status report filed on behalf of respondent No.1/State reflects that construction, if any, carried out by petitioner is disputed by DSIIDC claiming to be owners of property. In case, petitioner has any grievance, the same can be adjudicated in civil proceedings between the parties. It is also pertinent to note that DSIIDC has not been impleaded as party in the present petition.

6. Considering the facts and circumstances of the case, this Court is of the considered opinion that disputed question of ownership between the parties cannot be adjudicated by way of present petition and need to be adjudicated before civil court.

Petition is accordingly dismissed leaving the rights and contentions of the parties open. Pending applications, if any, also stand disposed of.

Date already fixed i.e. 25.09.2024, stands cancelled.

ANOOP KUMAR MENDIRATTA, J.

SEPTEMBER 5, 2024/v