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

+ W.P.(CRL) 2904/2024

RANI AND ORS

.....Petitioners

Through: Mr. S. P. Sharma, Advocate

versus

GOVERNMENT OF NCT OF DELHI THROUGH ITS SECRETARY
& ORS.

.....Respondents

Through: Mr. Amit Peswani, Advocate for Ms.
Nandita Rao, ASC for the State with SI
Braham Prakash, P.S. Sultanpuri.

CORAM:

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

20.09.2024

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1. By way of the Writ Petition under Article 226 of the Constitution of India read with Section 528 of BNSS Act, 2023 the petitioners seek directions to official respondent nos. 2 to 5 to protect their life and property as also of their family members. Simultaneously, they also seek directions restraining the respondent no. 6 from trespassing into their property.

2. Learned counsel invites attention of this Court to the various complaints filed by the petitioners with the police authorities. Petitioners have also filed a newspaper publication of a public notice vide which they have disowned the respondent no. 6 from their property. It has been stated by the counsel for the petitioners that subsequent to issuance of such public notice, the respondent no. 6 who is their son, has been harassing them time and again. So much so, that on 06th August, 2024, the respondent no. 6 had trespassed into their house and quarreled with them. On that basis, learned counsel seeks

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protection of life and property of the petitioners.

3. *Per Contra*, Mr. Peswani, learned counsel appearing for the State hands over the bench, the Action Taken Report/*Kalandra* issued by the police authorities on the call made by the petitioners on 06.08.2024, regarding the alleged quarrel. Mr. Peswani, learned counsel for the State has handed over the bench the copy of the *Kalandra* recording the quarrel which had allegedly taken place on 06th August, 2024. The said *Kalandra* is taken on record. He submits that the original of the same has already been sent to the concerned jurisdictional Special Executive Magistrate who is likely to take action in accordance with law. He submits that the police authorities have not been found wanting so far as the immediate action/response is concerned. The registration of the aforesaid *Kalandra* is a proof thereof. He states that in case, in future there is any such mishap or quarrel, the police authorities would immediately respond on being intimated about such event.

4. Mr. Amit Peswani, learned counsel for the State also submits, on instructions of the SI Braham Prakash from the concerned Police Station, that no incident after 06th August, 2024 has been reported till date to the Police Station by any of the petitioners.

5. After hearing the parties, this Court is satisfied that so far as the quarrel alleged to have happened on 6.8.2024 is concerned, the police has already taken appropriate steps in that regard and have recorded a *Kalandra*. So far as the future protection is concerned, this Court is of the considered opinion that the grievance of the petitioner would be satisfied in case, the Beat Officer is directed to visit the residence of the petitioners and enquire into the well-being of the petitioner twice a day for the next thirty days. The Beat Officer shall visit the residence of the petitioner twice a day, i.e., once in the morning



and once in the evening.

6. That apart, the Beat Officer shall provide his mobile number as also the mobile number of the SHO to ensure that in case, there is any call emanating from the petitioner, immediate response thereto can be ensured. Let the said details be provided to the petitioner by SI Braham Prakash immediately.

7. In view of the aforesaid directions, the Writ Petition is disposed of without any order as to costs.

TUSHAR RAO GEDELA, J

SEPTEMBER 20, 2024/PU