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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(CRL) 1135/2025 & CRL.M.A. 10846/2025

KRISHNA MURARI & ANR.

.....Petitioners

Through: Mr. Sumit Kumar, Mrs.
Darsan & Mr. Arvind
Kumar, Advs. with P1 in
person

versus

HONBLE CHEIF JUSTICE & ORS.Respondents

Through: Ms. Anu Bagai, Adv. for
R1
Mr. Atul Guleria, SPP,
CBI with Mr. Aryan
Rakesh, Adv. for CBI

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

08.04.2025

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1. The present petition is filed, *inter alia*, praying as under :

- (a) *Issue an appropriate Writ/Order thereby directing the CBI to register FIR under appropriate section of BNS, 2023 and POSH Act, 2013 and if any other law applicable;*
- (b) *Issue an appropriate Writ/Order thereby directing the Commissioner of Delhi Police to provide the complete protection / security to the Petitioners;*
- (c) *Issue an appropriate Writ/Order thereby directing the **DISTRICT MAGISTRATE, Gaya, Bihar and SENIOR SUPERINTENDENT OF POLICE (SSP), Gaya, Bihar** to provide the complete protection/security to the family of Petitioners;*
- (d) *Issue an appropriate Writ/Order thereby directing the Union of India or Nct. Of Delhi or appropriate authority to provide social-*

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- economic rehabilitation to the Petitioners;*
- (e) *Pass any other or further Writ(s) /direction(s) /order(s) as this Hon'ble Court may deem fit and proper in the given circumstances of the case, in the interest of justice.*

2. Petitioner No.1 is a practising Advocate and alleged that he had received a phone call from someone claiming himself to be a Member of Parliament and threatening him in regard to a legal case in which Petitioner No.1 is defending Petitioner No.2 in his capacity as a lawyer. The petitioners are aggrieved that the representation given by him in that regard has not been considered.

3. Petitioner No. 1 claims to have received a phone call on 04.04.2025. It appears that the petitioners, without approaching the relevant authorities in regard to this complaint, have filed the present petition immediately on the next day, that is, 05.04.2025, and various parties including Hon'ble the Chief Justice of this Court have been made respondents without any reason or justification.

4. If the petitioners have a grievance in regard to alleged threats being received on phone, they are at liberty to approach the concerned police authority.

5. Any allegations in regard to cognizable offence has to necessarily be given to the concerned police authority and in the absence of any action being taken, has to be given to the concerned Deputy Commissioner of Police under Section 173 of Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNSS') and if the person is still aggrieved, he is at liberty to file an application under Section 175(3) of BNSS before the learned Magistrate.

6. It is, undoubtedly, clear that in some circumstances, the



High Court while exercising power under Article 226 of the Constitution of India, can also interfere, however, the present case, at this stage, does not appear to be of such nature.

7. The petitioners seem to be concerned about themselves and their family members' life and liberty.

8. Let the present petition be treated as a representation by the concerned SHO and appropriate action, if required, be taken in accordance with law.

9. The present petition is disposed of in the aforesaid terms. Pending applications also stand disposed of.

10. Needless to say, the petitioners are liberty to file appropriate proceedings in case any grievance remains.

AMIT MAHAJAN, J

APRIL 8, 2025

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