



\$~14

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

+ **W.P.(CRL) 1514/2023**

MR. AMANDEEP SINGH

.....Petitioner

Through: Mr. Anu Prakash and Ms. Sheetal,
Advocates.

versus

GOVT. OF NCT OF DELHI AND ORS

.....Respondents

Through: Mr. Yasir Rauf Ansari, ASC for the
State along with Mr. Mohit Raj Nagar
and Mr. Alok Sharma, Advocates and
SI Jaiveer Kumar, PS Palam Village.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER
18.09.2025

%

1. The present petition under Articles 226 and 227 of the Constitution of India, 1950 read with Section 482 of the Code of Criminal Procedure, 1973¹ seeks the following reliefs:

“a. Issue a writ/order/directions in nature of mandamus there by directing the Respondents (No.2 To No.4) for providing adequate security in the face of imminent danger to the lives of Petitioner and his mother as Respondent No. 5 had murdered the father of Petitioner in clandestine manner and had secretly disposed off the body of the deceased father in hushed-up and hurried manner at a different location which was not a customarily place for cremation of the deceased in Petitioner’s families; and/or

b. Issue a direction for formation of a Special Investigation Team (SIT) to comprehensively investigate the circumstances under which

¹ “Cr.P.C.”



planned and plotted murder of the deceased had been committed by the Respondent No.5 in connivance with respondent no.6 to no.10; and/or
c. Issue a direction to the Respondents (no. 2 to no.4) to look into the whole circumstances under which cold blooded murder has taken place and the local police had not acted under the influences of the Respondents (No.5 To No.11) despite written complaint which had been filed by the Petitioner and his mother immediately after receipt of information about the death of deceased father / husband through respondent's counsel in the midst of court proceeding."

2. On 14th August 2025, counsel for the Petitioner sought discharge from the present matter. The Court had directed him to place on record an affidavit enclosing a copy of the communication sent to his client, informing him both of the next date of hearing and of counsel's intention to seek discharge. In compliance thereof, an affidavit has been filed by counsel, annexing therewith the WhatsApp communication exchanged between him and the Petitioner. A perusal of the said communication clearly indicates that due intimation regarding the listing of the present matter has been given to the Petitioner. In these circumstances, since the Petitioner has been duly notified, Mr. Anu Prakash is discharged from the case.

3. The brief factual background leading to the filing of this petition is that the Petitioner had lodged a complaint at Palam Police Station, New Delhi, on 04th February, 2022, alleging that there was an ongoing dispute regarding the division of shares in ancestral property, and that, in connection with the said dispute, his father had been murdered in connivance with Respondent Nos. 6 to 11.

4. It is alleged that no action was taken pursuant to the said complaint, prompting the filing of the present writ petition, seeking directions to Respondent Nos. 2 to 7 to provide adequate security and protection to the Petitioner and his mother, in light of the alleged threat to their lives. It was



further alleged that the Petitioner's grandmother, Dharam Kaur (Respondent No. 11), was responsible for the murder of her own son, i.e., the Petitioner's father. The Petitioner also levelled allegations of collusion and connivance with Respondent Nos. 5 to 11.

5. Pursuant to the enquiry conducted into the complaint lodged by the Petitioner, the State filed a status report dated 21st September, 2023, which reads as follows:

1. At the outset it is submitted that complaint of petitioner Mr. Amandeep Singh was received at Police Station Palam Village alleging therein that he and his mother came to know that his father Sh. Kuldeep Singh expired on dated 15.01.2022. He alleged that the death is not natural and his father has been murdered by his grand-mother Dharam Kaur and his aunt Ranbala, Rajmuni and Sunil and their sons Jitender, Rahul and Chetan. Petitioner has not been the part of funeral rites of his father. He alleged that he wanted to be the part of funerals (Terahvee)

2. That enquiry on the complaint lodged by the petitioner was conducted and during course of enquiry respondent no. 11, Smt. Dharam Kaur and other respondents have been examined. On examination it was revealed that Respondent no. 11, Smt. Dharam Kaur W/o Lt. Sh. Surjan Singh R/o RZ 102, Dada Dev Mandir Road, Raj Nagar, Part-II, Palam, Delhi has two sons namely Lt. Sh. Kuldeep and Lt. Sh. Lalit and three daughters namely Rajbala, Smt. Rajmuni @ Rani and Smt. Sunil Devi. Lt. Sh. Kuldeep Singh, got married in the year 1984 with Smt. Sunita Dagar, (mother of the Petitioner) D/o of Sh. Inder Singh Dagar, in a simple manner, according to Hindu rights and Ceremonies, even Respondent No. 11 's younger son Late. Sh. Lalit, S/o Lt. Sh. Surjan Singh had also got married with the real younger sister of aforesaid daughter in law Smt. Sunita Dagar, Smt. Suresh Dagar D/o Sh. Inder Singh, on the very same day.

3. That during enquiry it was revealed that the son of the Respondent No.11 namely Kuldeep expired on dated 15.01.2022. He was declared brought dead at Venkateshwara Hospital, Dwarka, New Delhi. Respondent no. 11 and respondent no. 5 provided medical record of the son of the Respondent No. 11 namely late Sh. Kuldeep. **They stated that death is caused due to after prolonged illness due to deadly disease Cancer (KIC/O/ CA BOT TONGUE, SEVERELY CACHEXIC).** The Respondent No. 11 and the Respondent No. 5 stated that they tried their level best to **provide best medical care to late Sh. Kuldeep, who was given 23 sessions of Radiation Oncology from 09.08.2021 to 14.09.2021, but late Sh. Kuldeep had expired during the 2nd Covid-19 wave** due to prolonged illness and he was cremated in the nearby crematorium ground Dwarka Sec-24, New Delhi near the Hospital, which is the largest crematorium in the area. No information of MLC or doubt on the death of the deceased Kuldeep Singh received at police station.

4. That during enquiry it was revealed that both the Sunita Dagar (mother of the



Petitioner) & Suresh Dagar filed criminal case, against Respondent No. 11 's sons namely Sh. Kuldeep and Late Sh. Lalit and his family including her daughters and their respective husbands vide FIR bearing No. 179 /98 and 180/98 with Police Station Dabri U/s 498A/406/34 IPC wherein both sons of Respondent No. 11 along with Respondent No. 11 's entire family got acquittal from the court of law in the aforesaid both the FIR No. 179 /98 and 180/98.

5. That during course of enquiry it was revealed that FIR No. 854/15, P.S. Dwarka South, dated 04.11.2015 U/s 376/354(D)/506 IPC was registered against Lt. Sh. Kuldeep Singh (father of petitioner) on the complaint of Smt. Suresh Dagar. (Maternal aunt of petitioner).

6. That late Sh. Kuldeep Singh has also executed a registered Will in favour of his mother i.e., respondent no. 11, in order to protect the valuable property i.e., RZ-102, Palam Village, New Delhi. It is also important to mention here that the father of the petitioner has also filed the suit for partition and permanent injunction vide civil suit no. 913/2021 in respect of the property bearing no. WZ-320, which is occupied by the petitioner and his mother along with the sister of mother, who has been living there along with the family members but after the death, the said suit was withdrawn. And subsequently, the respondent no. 11 has filed the suit for partition and permanent injunction in respect of the said property and even got the stay vide order dated 13.03.2023 in the civil suit no. 381/2022.

7. That the mother of the petitioner and her family members filed a criminal complaint no. 1687/21 u/s 156(3) Cr.PC against the respondent no. 5 with allegations of cheating and the same was dismissed vide order dated 20.07.2022 and subsequently the mother of the petitioner has preferred to file the criminal revision petition vide CRL. No. 190/2022, which was also dismissed vide detailed order dated 20.02.2023.

8. That the petitioner and his mother Sunita Dagar were well aware about the illness of the deceased Kuldeep Singh as she had requested to get his treatment done from renowned hospital.

9. That on dated 04.02.2022 mother of petitioner Smt. Sunita Dagar along with her sister Smt. Suresh Dagar and her few colleagues visited the house RZ-102, Dada Dev Road, Palam Village, New Delhi to be part of condolence meeting on the death of her husband but her mother-in-law, Smt. Dharam Kaur (Respondent no. 11) did not allow them.

10. That the complaint lodged by the complainant/petitioner is just to counter and suppress the respondents 5 to 11 in the property matters.

11. That the allegations levelled by the petitioner did not find legitimate and sustainable. Hence no FIR has been registered in this matter.

12. That both the parties filed several complaints and PCR Calls against each other. Therefore, preventive action w/s 107/150 CrPC was taken vide DD No. 115A, dated 15.08.2021 against the petitioner, his mother Sunita Dagar and his aunt Suresh Dagar.

13. That the above version is to be verified from the concerned hospital medical record.

14. Therefore, in view of the above submissions any directions of the Hon'ble Court will be complied with in letter and spirit.

6. The aforesaid status report indicates that the Petitioner's father passed



away following a prolonged illness due to cancer during the second wave of the COVID-19 pandemic. It was further noted that he had executed a registered Will in favour of his mother (Respondent No. 11) in respect of property bearing No. RZ-102, Palam Village, Delhi. He had also instituted a civil suit seeking partition and permanent injunction concerning another property which was in the possession of the Petitioner and his mother. In view of the above, it was observed that the complaints filed by the Petitioner and his mother were prompted by, and in retaliation to, the ongoing property disputes with Respondent Nos. 5 to 11.

7. A subsequent status report was filed after obtaining a medical opinion from Venkateshwar Hospital, Dwarka, where the deceased had been treated.

The report states:

1. *That in continuance of the previous status report filed it is further submitted that during the course of enquiry a notice was served to Medical Record Department (MRD) of Venkateshwar Hospital, Dwarka, New Delhi for obtaining information regarding treatment and cause of death of the deceased Kuldeep Singh s/o Lt. Sh. Surjan Singh R/o RZ-102, Dada Dev Mandir Road, Raj Nagar, Part-II, Palam, Delhi. (father of petitioner).*
2. *That the reply of said notice has been received from the Venkateshwar Hospital, Dwarka, New Delhi wherein doctors opined that " The patient, age-61, was a diagnosed case of carcinoma base of tongue on radiotherapy on regular follow up with the Oncology Department of the undersigned Hospital. The patient was previously admitted to the Hospital on 14.07.2021 with the complain of dizziness, palpitations, tingling sensation in lower limbs, ghabrahat and weakness and then again on 04.08.2021 with the complains of decrease oral intake, generalized weakness and difficulty in swallowing. As per the medical history revealed, his biopsy was done from 11.05.2020 (from BOT high grade dysplasia with focal rapacious for invasion) and PETCT (2020). At the time of his admission in July 2021, his routine investigation was done and the chest x-ray dated 14.07.2021 showed partchy inhomogeneous opacity seen in bilateral appear zone & left mid zone and 2D echo showed poor thoracic echo window Radiation oncology and Gastroenterology opinion was taken and the patient war planned for endoscopies guided NG tube insertion but he attendants and the patient refused for the same and requested discharged and therefor he was discharged on request on 15.07.2021. Subsequently at the time of admission in August, 2021 the patient underwent punch biopsy and FNAC from tongue growth under aseptic precaution on 05.08.2021 The procedure was uneventful. A sample was sent from the small biopsy without HC and FNAC and the report war*



awaited. For supportive cure and management, he aver required to stay longer but was discharged against medical advice on request by the patient and attendants on 02.08 2021, While his report was still awaited. On dated 15.01.2022 about 17:03 AM as per the records maintained by the Hospital, the Patient was presented to the emergency room in unresponsive and unconscious state, with no central or peripheral palpable, no breathing efforts, no cardiac sounds audible, pupils B/L non reacting to light, fixed, plantar reflexes absent, no corneal reflexes, severely achexis and without any Injury mark on the body. Accordingly, the patient was declared brought dead at 12:09AM on 15.01.2022.

3. The patient was a diagnosed case of carcinoma base of tongue on radiotherapy on regular follow up with the Oncology Department of the undersigned Hospital. He was previously admitted twice to the Hospital in year 2021, when the Patient underwent surgery and therefore no foul play was suspected. It is verily believed that the cause of death of patient was carcinoma base of tongue, as the Patient was undergoing its treatment from the past. (Reply received from the Venkateshwar Hospital, Dwarka, New Delhi is attached as Annexure-A).

4. Therefore, in view of the above submissions any directions of the Hon'ble Court will be complied with in letter and spirit.

8. The medical opinion furnished by Venkateshwar Hospital, affirms that the Petitioner's father was a diagnosed case of carcinoma, and that his death occurred as a result of the said illness, for which he had been undergoing treatment over a prolonged period. In view of the medical findings and the enquiry conducted by the authorities, no case is made out for issuance of directions in relation to the Petitioner's prayer for constitution of a Special Investigation Team to investigate the alleged murder of his father. Accordingly, prayers (b) and (c) are rejected. However, if the Petitioner remains aggrieved by the outcome of the enquiry conducted by the State, he shall be at liberty to take recourse to appropriate remedies, if available under law.

9. As regards prayer (a), requesting police protection, it is evident that the dispute between the Petitioner and Respondent Nos. 3 to 6 is rooted in questions of possession and occupation of the subject ancestral property. If the Petitioner is aggrieved by the unlawful possession of any property, it is



always open to him to pursue appropriate remedies before the civil forum. The coercive machinery of the State cannot be invoked for the purpose of eviction under the guise of police protection. Nonetheless, this Court directs that the Station House Officer concerned shall, on an ongoing basis, assess the circumstances and, if the situation so demands, take preventive steps to ensure that no breach of peace occurs and the safety of the Petitioner and his mother is duly secured, strictly in accordance with law.

10. It must be clarified that at, this juncture, the Court has not heard Respondents Nos. 5-11; and therefore, any directions issued by the Court or the observations made hereinabove, are purely on the basis of the averments made in the petition, and the Court has not expressed any opinion regarding the truthfulness or the veracity of such claims. All rights and contentions of the parties are left open.

11. With the above directions, the petition is disposed of. The Court has not commented on the merits of the case.

SANJEEV NARULA, J

SEPTEMBER 18, 2025/MK