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

+ **W.P.(CRL) 1239/2022**

MOHD ARSHAD AHMAD

.....Petitioner

Through: Mr. M. Sufian Siddiqui,
Mr. Md. Niyazuddin &
Mr. Mazhak Ahmad,
Adv.

versus

THE STATE NCT OF DELHI & ORS.Respondents

Through: Mr. Rahul Tyagi, ASC
(Crl.) for the State along
with Mr. Sangeet Sibou,
Mr. Priyansh Raj Singh
Senger & Mr. Aniket
Kumar Singh, Adv.
SI Harsh Kumar, PS Nabi
Karim.
Mr. Tushar Sahnee, Adv.
for GNCTD along with
Ms. Shooni Das, Adv.
Mr. M. M. Singh & Ms.
Natasha Goel, Adv. for
R3.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

% **19.08.2025**

1. The present petition is filed by the petitioner, inter-alia,
seeking the following prayers :-

*“a. Direct the SHO, P.S. Nabi Karim/respondent no.2 herein
to forthwith ensure strict compliance of the final order and
judgment dated: 17.08.2020 passed by this Hon’ble Court in
W.P. (Crl.) 1101 of 2020 in case titled “**Mohd Arshad Ahmad
vs The State NCT of Delhi & Ors.**” by providing adequate
Police protection to the petitioner in the discharge of his
official and religious duties as an Imam of Masjid Dargah
Hazrat Khwaja Baqi Billah (R.A.) situated at Eidgah Road,
Paharganj, Delhi; and*



- b. Direct the SHO, P.S. Nabi Karim/respondent no.2 herein to secure/preserve forthwith the CCTV footage both Audio and Video of cameras installed inside the Police Station, Nabi Karim, District-Central (especially inside the room of the SHO, P.S. Nabi Karim) and place on record before this Hon'ble Court pertaining to the incident dated: 01.05.2022 between 02.00 P.M to 07.00 P.M, in terms of the Hon'ble Supreme Court's judgment dated: 02.12.2020 passed in the case of **"Paramvir Singh Saini vs Baljit Singh & Others"** Special Leave Petition (Criminal) No.3543/2020. And
- c. Direct Respondent no.1 to conduct an in-depth enquiry in a fair and impartial manner considering the principles of natural justice under the direct supervision of the DCP Vigilance or by a Police Officer of a higher rank on the reprehensible incident dated: 01.05.2022 as it occurred inside the room of the SHO, P.S. Nabi Karim, District-Central causing infraction of the petitioner's fundamental rights as Guaranteed under Article 21 of the Constitution of India, and for the willful disobedience of this Hon'ble Court's order dated: 17.08.2020 passed in W.P.(Crl.) 1101 of 2020 titled **„Mohd Arshad Ahmad vs The State NCT of Delhi & Ors."** and
- d. Direct the Respondent no.1 to take stringent legal action against Mohd. Nasir/Respondent no.3 herein and his associate Parvez Noor @ Nanhe/Respondent no.4 herein for brazenly threatening, intimidating and subjecting the petitioner to inhuman and degrading treatment that too in the presence of the SHO P.S. Nabi Karim/ respondent no. 2 herein;"

2. It is pointed out that phone number of the Beat Officer has been provided to the petitioner and the petitioner is permitted to call the Beat Officer or any other senior officer in case he apprehends any breach of peace or threat to his life and liberty.
3. It is also pointed that 4 - 5 Police Personnel have also been deputed on the subject *Dargah* in order to ensure peace.
4. The said aspect is, though, disputed by the learned counsel for the petitioner.
5. In regard to the allegation that the petitioner and the alleged accused persons were called at the Police Station and petitioner was allegedly threatened by the accused persons in



front of the SHO, undisputedly, no audio recording has been preserved by the Police. It is pointed out that CCTV footages though show the presence of the parties at the Police Station, however, in the absence of any audio, it is difficult to ascertain anything in regard to the allegations made by the petitioner.

6. In such circumstances, the senior officer of the rank of ACP or above is directed to conduct an inquiry and take appropriate steps in accordance with law.

7. Petitioner is also at liberty to approach the senior officers in case he feels any threat to his life and liberty or in case he apprehends any breach of peace.

8. The present order has been passed, since this Court by order dated 17.08.2020 had disposed of the writ petition filed by the petitioner on an earlier occasion specifically directing the State to ensure that no hinderance or obstruction is caused to petitioner in performing his official and religious duties as *Imam* of the subject *Masjid*.

9. The petitioner, in case of non-compliance of either the order passed today or the order dated 17.08.2020, is at liberty to file an appropriate application seeking contempt.

10. The present petition is disposed of in the aforesaid terms.

AMIT MAHAJAN, J

AUGUST 19, 2025

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