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

+ **W.P.(CRL) 1245/2025**

PURUSHOTTAM SINGH PANCH

.....Petitioner

Through: Mr. Kshitiz Goel, Mr. Rishan Sharm and Mr. Joney, Advocates.

versus

THE COMMISSIONER OF POLICE

.....Respondent

Through: Ms. Rupali Bandhopadhy, ASC (Crl.) for the State with Mr. Abhijeet Kumar, Advocate.
SI Aman, P.S. Mandawali.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

21.04.2025

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1. This hearing has been done through hybrid mode.

CRL.M.A. 11773/2025 (Exemption)

2. Allowed, subject to all just exceptions. The application is disposed of.

W.P.(CRL) 1245/2025

3. The present petition under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeks the following prayers:

“A. Issue a Writ of Mandamus or any other analogous Writ, Order or direction thereby directing the respondent to take legal action on the complaints dated 13.11.2024 and 27.11.2024 for seeking the externment and arrest of the accused persons, namely Dharamveer, Pradeep, Azhar, Fateh, Vivek, Shyam, and other unknown individuals (who can be verified from CCTV footage), who have been continuously harassing the petitioner and his family members in violation of their fundamental rights.;



B. Issue a Writ of Mandamus or any other analogous Writ, Order or Direction thereby directing the respondent to deploy the police force for the security of petitioner, in view of the Police protection would be given to the aggrieved parties as per the case of P.R.Murlidharan and others vs. Swami Dharmananda Theertha Padar and others reported in (2006) 4 SCC 501 held that a writ of mandamus directing the Police authorities to give protection to the person of a writ petitioner can be issued;

C. Issue a Writ of Mandamus or any other analogous Writ, Order or Direction thereby directing the respondent herein to change and appoint the investigation officer to the ACP, PG Cell, who already finished their inquiry on the complaint of the petitioner thereafter FIR has been registered and also bound won the I.O to Submit the chargesheet within stipulated time period; And

D. Issue a Writ of Mandamus or any other analogous Writ, Order or Direction thereby directing the respondent herein to take apposite stringent legal action against the concerned delinquent police officials of (East-District) particularly of P.S. Mandawali i.e. SHO, S.I. Manoj Solanki and S.I. Rambir and ASI Brijesh for their ex-facie concerted, premeditated, illegal, contemptuous and iniquitous acts of transgression thereby infringing, instead of protecting the Fundamental Rights of the Petitioner as Guaranteed under Article 21 of the Constitution, notwithstanding their express knowledge about the consequences likely to follow; And

E. Issue a Writ of Mandamus or any other appropriate Writ, Order, or Direction directing the respondent to conduct an inquiry and determine the award of damages to the petitioner and his family for the mental agony, physical suffering, and pain caused due to the respondent's inaction and failure to enforce the law

F. Grant such further and other reliefs as this Hon'ble Court may deem fit and proper in the nature and circumstances of the case.”

4. Learned counsel appearing on behalf of the petitioner seeks leave to withdraw the present petition with liberty to make appropriate representation with regard to latter's security before the competent authority.
5. Leave and liberty granted.
6. Needless to say, on a representation being moved before the competent authority, the same shall be decided in accordance with law under intimation



to the petitioner.

7. The present petition is dismissed as withdrawn and disposed of accordingly.

8. Pending application(s), if any, also stands disposed of.

AMIT SHARMA, J

APRIL 21, 2025/bsr/sc

Click here to check corrigendum, if any