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

+ **W.P.(CRL) 1532/2024 & CRL.M.A. 31949/2024**

OM PRAKASH LAMBA @ OM PRAKASH & ORS.Petitioners

Through: Mr. Rakesh Kumar, Mr. Pawan Kumar, Mr. Kumar Gautam and Mr. Vivek Kumar, Advs.

versus

GOVERNMENT OF NCT OF DELHI & ORS.Respondents

Through: Mr. Amol Sinha, ASC (CRL) with Mr. Kshitiz Garg, Mr. Ashvini Kumar and Mr. Nitish Dhawan, Advocates for the State.

Mr. Krishna Gopal Mishra, Mr. Praveen Mishra and Mr. Amreshwer singh

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

25.09.2025

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1. Writ Petition under Article 226 of Constitution of India read with section 482 of the Code of Criminal Procedure, 1973 ("Cr.P.C.") has been filed on behalf of the Petitioner with the following prayers:

“(a) Direct the govt. of NCT of Delhi, the Delhi Police to ensure the safety and security of all the six petitioners and especially the petitioner no.1 and the petitioner no.2 from the respondent no.2;

(b) Direct the govt. of NCT of Delhi and the Delhi Police to make it sure that Rajesh Lamba, the respondent no.2 herein, who staying on the first floor of House No.2229-A, Outram Lines, GTB Nagar, do not come to the ground floor where his senior citizen parents reside;

(c) Direct the govt. of NCT of Delhi and the Delhi Police to break-open the front door of the ground floor of the building



which has been locked by Rajesh Lamba, the respondent no.2 herein locking the petitioner no.s.1 and 2 on the ground floor of the building;

(d) Direct the govt. of NCT of Delhi and the Delhi Police to make it sure that the respondent no.2 do not come to the juice shop of the petitioner no.1, which is on the ground floor of the house and in which the front door of the ground floor opens.”

2. Learned counsel for the Petitioners submits that Petitioner No.1/Om Prakash Lamba @ Om Prakash has expired on 06.12.2024.
3. Petitioners are the parents, brothers and sister-in-law (*Bhabhi*) of Respondent No.2, who happens to be the eldest son in the family. Parents (Petitioner Nos.1 and 2, aged about 82 and 78 years respectively) were residing on the ground floor, while Respondent No.2 was residing on the first floor. Two other brothers (Petitioner Nos.3 and 5) and their respective wives (Petitioner Nos.4 and 6) and their children, are residing on the second and third floor respectively.
4. Apparently, there is Juice Shop opened in the front side of the property, whereby the access to the all the floors of the property is through back entry. One of the grievances of the Petitioner is that they are not allowed access through the Front gate. However, as has been submitted if there is a juice shop, there cannot be access through the Front door of the property, especially in the night when the Shop gets closed.
5. All the parties have been using rear entry of the premises. Therefore, the grievance obviously is not addressable in these criminal proceedings. In case the properties are intended to be used in a particular way or Juice Shop is to be closed, the remedy does not lie by way of criminal Writ Petition.
6. The second prayer is made that there should be safety and security of



all the six Petitioners and especially Petitioner Nos.1 and 2, who are senior citizens.

7. It is noted that it is nothing but a family dispute *inter se* the parents and three sons, for which they have appropriate remedy under Maintenance and Welfare of Parents and Senior Citizens Act, 2007. However, the directions have already been given to Respondent Nos.1 & 3/ Police to provide Mobile Numbers of Beat Constable/SHO, to respond to the Complaints of the Petitioners.

8. Next prayer made is that Respondent No.2 Rajesh Lamba should not come to the ground floor, where the senior citizen parents are residing.

9. Learned counsel for Respondent No.2 submits that there is no intrusion on the privacy of the parents, who are residing on the ground floor. However, Respondent No.2 goes to the front of the premises, i.e. the Shop where he is running the Juice Shop. He undertakes that Respondent No.2 would not go to the residential portion of the mother, unless invited.

10. The next prayer made is that Front door of the ground floor has been locked by Respondent No.2. It has been explained that in fact there is shop, which has to be closed by him in the night. The access to the premises is only through the rear entry. Essentially the disputes entail civil rights of the parties, for which they are at liberty to avail the civil remedy.

11. Learned counsel for Respondent No.2 refuted all the allegations made against Respondent No.2 and has made averment that it is he, who is being troubled on the repeated Complaints being made by the Petitioners.

12. Needless to say, if any Complaint is made by the Petitioners, Police shall act upon that promptly in accordance with law.

13. Also, considering that Petitioner No.2 (mother) is a senior citizen,



Beat Constable shall visit at her residence at least one a week.

14. Nothing more survives in the present Writ Petition.

15. With the aforesaid directions, present Writ Petition along with pending Applications is disposed of.

NEENA BANSAL KRISHNA, J.

SEPTEMBER 25, 2025/R