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

+ **W.P.(CRL) 3179/2023**

RAJAN JAITLEY

.....Petitioner

Through: Mr. Varun Goswami, Mr. Sahil
Agarwal and Ms. Dakshita Sharma,
Advocates.

versus

STATE OF NCT OF DELHI AND ANR.

.....Respondents

Through: Mr. Amol Sinha, ASC for State with
Mr. Kshitiz Garg, Mr. Ashvini
Kumar, Mr. Nitish Dhawan,
Ms. Chavi Lazarus and Ms. Sanskriti
Nimbekar, Advocates.
SI Mansi, PS-Maurya Enclave.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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17.11.2025

1. The Petitioner, a senior citizen aged about 73 years, had approached this Court seeking protection of his life and liberty and peaceful enjoyment of the property in question in view of his dispute with Respondent No. 2. By order dated 31st October, 2023, this Court passed the following directions:

**“[The proceeding has been conducted through Hybrid mode]
CRL.M.A. 29472/2023**

1. Exemption allowed subject to all just exceptions.
2. The application stands disposed of.

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3. This is a criminal revision petition under Article 226 of the Constitution of India seeking issuance of writ in the nature of Mandamus or any other writ, order of directions of the like nature, thereby directing



respondent no.1 through the Police Officials of Maurya Enclave to ensure complete safety of the petitioner and his family members in his residence without any fear or any threat from respondent nos. 2 to 5.

4. *Mr. Varun Goswami, learned counsel appearing for the petitioner submits that the petitioner is co-owner of the subject property alongwith his wife, i.e. respondent no.2. In support of such contention, Mr. Goswani relies upon the Conveyance Deed dated 19.06.2006, placed on record, according to which the petitioner as also respondent no.2 are co-owners of the subject property.*

5. *Learned counsel submits that there is acrimony between the parties on account of family disputes.*

6. *He submits that the petitioner is aged about 74 years and is suffering from multiple age related problems like, Psoriasis, Diabetes, Chronic Lung Infection and High Blood Pressure. He submits that the petitioner along with his son, son's wife and minor child have been residing in the second floor of the subject property. *

7. *He submits that respondent no. 2, who is the wife of the petitioner has been threatening all the family members alongwith other respondents and is not permitting free ingress and egress from the subject property. He submits that so much so that the petitioner is unable to even procure medicines from the market for his ailments. Even procurement of daily groceries has also become a tremendous point of altercation between the parties.*

8. *On that account, Mr. Goswami submits that a complaint was given to the police authorities at Police Station Maurya Enclave. He submits that the police authorities have not been able to take any proper action against respondent nos. 2 to 5 and have not been able to ensure that the petitioner and his family members are able to have a clear unobstructed ingress and egress from the subject property.*

9. *Issue notice.*

10. *Notice accepted by Mr. Amit Peswani, learned counsel appearing on behalf of Ms. Nandita Rao, learned ASC for State.*

11. *According to Mr. Peswani, on the instructions of the IO, who is present in person, the parties were heard by the IO subsequent to which, respondent no.2 is stated to have given a statement giving no objection in case the duplicate keys of the main gate, which contains the electronic lock, is handed over to the petitioner. Copy of the statement dated 30.10.2023 of respondent no.2 is taken on record.*

12. *Mr. Peswani submits that having regard to the statement given by respondent no.2 in written to the IO, necessary directions can be passed by this Court.*

13. *Mr. Swagat Kumar Nanda, learned counsel appearing for respondent no.2 appearing on advance notice and submits that the dispute has not been correctly projected by the learned counsel for the petitioner.*

14. *He disputes the aforesaid statement and requests that some time*



may be granted to file reply.

15. He further submits that in fact it is respondent no.2, who has been at the receiving end, inasmuch as, according to learned counsel for respondent no.2, the son of the petitioner is an owner of the property at Rajendra Nagar, where respondent-2 was residing and was thrown out forcibly from the said premises during the COVID pandemic. It is only after tenants of the subject property vacating the ground floor, that she took possession of the same. He further submits that she is admittedly 50% owner of the subject property and therefore cannot be deprived of the possession.

16. Learned counsel also submits that the son of the petitioner is abusive and respondent no.2 also apprehends harm.

17. This Court has heard learned counsel for the parties.

18. After hearing the parties, this Court is of the considered opinion that in accordance with the statement made by respondent no.2, the petitioner can be permitted to keep a duplicate copy of the keys of the main door of the building of the subject premises. Respondent no.2 shall permit the petitioner to take the services of a key maker for purposes of making a duplicate key of the lock to the main gate.

19. The IO is directed to remain present at the spot, when such exercise will be carried out. The same be done on 02.11.2023 at 11:00 AM.

20. The keys can be used by the petitioners and his family members, without any obstruction or objection by respondent no.2. Equally, the petitioner and his family members shall also not create any difficulty for respondent no.2.

21. Whatever furniture etc is required for the petitioner for a decent living, shall be permitted to be taken in. The petitioner shall give advance notice to the IO who shall be present at the time when the furniture etc. are being moved in the second floor (above the upper ground floor).

22. Reply, if any, be filed within four weeks with an advance copy to learned counsel for the petitioner. Rejoinder, thereto if any, within four weeks, thereafter, with an advance copy to learned counsel for the respondents.

23. Mr. Goswami undertakes to furnish a complete copy of the present petition to learned counsel for respondent no.2 during the course of the day.

24. List on 02.02.2024.

25. Dasti."

2. Mr. Varun Goswami, counsel for the Petitioner, submits that Respondent No. 2 has since instituted a civil suit being CS(OS) 718/2023 before this Court, wherein both parties have been directed to maintain *status quo*. In view of the pendency of the said proceedings and the interim



arrangement already operating, Mr. Goswami submits that no further orders are required in the present petition.

3. In such circumstances, and in view of the statement made on behalf of the Petitioner, the present petition stands disposed of.

SANJEEV NARULA, J

NOVEMBER 17, 2025

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