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

+ W.P.(CRL) 2657/2025

FAIZAN & ORS.

.....Petitioners

Through: Mr. Raghunath Pathak, Mr. Shumaila
and Mr. Abhinav Singh, Advocates.

versus

GOVT OF NCT DELHI & ORS.

.....Respondents

Through: Mr. Rahul Tyagi, ASC with Mr.
Sangeet Sibou, Mr. Priyansh Raj
Singh Senger and Mr. Aniket Kumar
Singh, Advocates for the State.
SI Virender, PS: Kamla Market.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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25.08.2025

1. The present petition in Article 226 of the Constitution of India, 1950 read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeks a direction to Respondent Nos. 2 and 3 to provide protection to the Petitioners as well as the minor children of the family, and to take action against Respondent Nos. 4 and 5.

2. The Petitioners are members of the same family, residing at Gali Karim Baksh, Faizal Road, Delhi. Petitioner Nos. 1, 2, and 4 are siblings, and the children of Petitioner No. 3. Petitioner No. 5 is the wife of Petitioner No. 1. Respondent No. 4 is also a sibling of Petitioner Nos. 1, 2, and 4, and the son of Petitioner No. 3. Respondent No. 5 is the wife of Petitioner No. 2. The Petitioners have alleged that Respondent No. 4 has been harassing and threatening them, including by way of attacks involving dangerous weapons. It is further alleged that the Petitioners have reason to believe that



Respondent No. 5 is involved in an illicit and adulterous relationship with Respondent No. 4, which has contributed to an increasingly hostile environment within the family. Additionally, it is alleged that Respondent No. 5 has physically assaulted her own minor daughters, resulting in injuries.

3. In this regard, the Petitioners submitted that despite making a complaint to the SHO, P.S. Kamla Market, on 28th July, 2025 no action has been taken pursuant thereto. In these circumstances, apprehending threats to their life and liberty, the Petitioners have approached this Court seeking directions to the police authorities for providing them protection.

4. Mr. Rahul Tyagi, ASC for the State, submits that the allegations raised in the Petitioners' complaint were duly examined by the police and both the parties were called to the police station, where they allegedly issued threats to each other. Consequently, proceedings under Sections 126/169 of the BNSS were initiated against them. He further submits that the dispute appears to be a domestic discord within the family, which has been escalating. He suggests that the Petitioners should consider resolving the matter amicably through counselling. Nevertheless, he submits that further action, would be warranted only if the allegations disclose commission of a cognizable offence.

5. The Court has considered the submissions made by the parties. It is evident that the police has already initiated preventive action pursuant to the allegations levelled by the Petitioners. Insofar as the Petitioners' grievance regarding alleged inaction by the police is concerned, this Court is of the view that, if the Petitioners are dissatisfied with the steps taken by the authorities, their remedy lies before the concerned Magistrate under the



relevant provisions of law for redressal of their grievance.

6. As regards the prayer for protection is concerned, the Court is of the view that the same ought to be assessed by the concerned SHO in light of the nature of the allegations made by the Petitioners. The SHO shall consider the circumstances and, if deemed necessary, take appropriate preventive measures to ensure the safety and protection of the Petitioners, in accordance with law.

7. It must be clarified that at, this juncture, the Court has neither issued to nor heard Respondents No. 4 and 5 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.

8. Mr. Rahul Tyagi, states that the SHO of the concerned Police Station shall provide adequate protection to the Petitioners if so warranted. The telephone numbers of the concerned Police Station as well as of the beat constable shall also be provided to the Petitioners in order to enable them to contact the officers, in the event of any threat or apprehension. Details of the Petitioners' residence be provided by counsel for the Petitioners to the Investigating Officer present in the Court.

9. With the above observations, the present writ petition is disposed of.

SANJEEV NARULA, J

AUGUST 25, 2025

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