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

+ **W.P.(CRL) 2683/2025**

MS SHADIYA

.....Petitioner

Through: Mr. Shakil Akhtar, Advocate with
Petitioner (in-Person).

versus

STATE OF NCT OF DELHI AND ORS

.....Respondents

Through: Mr. Anand V. Khatri, ASC for State.
SI Vinod Kumar, P.S. Kishangarh.
Mr. Yashbir Singh Teotia, Advocate
for R-4.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

26.08.2025

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1. The Petitioner, placing reliance on an appointment letter issued by the 'Association of Responsible Professionals', an NGO, states that she has been providing free tuition to needy children of Motilal Nehru Camp, South Delhi, Munirka, near the old JNU Campus, at its Community Centre for the past three months. She submits that she has been imparting coaching to children from Nursery to 5th Standard with the assistance of the said NGO. She further asserts that on 15th August, 2025, she organized a national flag-hoisting ceremony on the occasion of Independence Day at the Community Centre. At that stage, Respondent Nos. 4 and 5, who claim to be the "Pradhan" of the area, along with their associates, attempted to obstruct the flag hoisting and threatened the Petitioner with dire consequences, including threats to her life, if she proceeded with the ceremony.



2. The Petitioner states that she immediately contacted the police helpline at around 11:00 A.M. and lodged a complaint. She also sought police protection against Respondent Nos. 4 and 5, but no action was taken by the police.

3. In the above circumstances, the Petitioner has filed the present petition under Articles 226 and 227 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023¹ (corresponding to Section 482 of the Code of Criminal Procedure, 1973²) seeking directions for police protection against the alleged threats from Respondent Nos. 4 and 5.

4. On the other hand, Mr. Anand V. Khatri, ASC for the State, points out that the Community Centre at Motilal Nehru Camp is managed by the JJ Slum Department of the Government of NCT of Delhi. He submits that, in light of the incident of 15th August 2025, preventive action has already been taken by recording a Kalandra against both parties.

5. Heard. It is not in dispute that the Petitioner is an employee of an NGO, and her counsel has candidly admitted that there are no issues regarding her employment. As regards the Petitioner's right to enter and use the premises, the same falls within the domain of the authorities responsible for the management of the Community Centre at Motilal Nehru Camp, and it is not for the State to adjudicate this issue. Insofar as the complaint lodged with the police is concerned, the Petitioner is at liberty to avail of the remedies available in law by approaching the Magistrate if she is aggrieved by the alleged inaction of the police.

¹ "BNSS"

² "CrPC"



6. As regards the prayer for police protection, the concerned SHO shall examine the Petitioner's complaint and assess whether any further preventive measures are warranted, keeping in view the threat perception.
7. It is clarified that this Court has not expressed any opinion on the merits of the allegations raised by the Petitioners against Respondents No.4 and 5. Since notice has not been issued to them and they have not been heard at this stage, all rights and contentions of the parties are left expressly open to be agitated before the appropriate forum in accordance with law.
8. In light of the aforesaid, the present petition is disposed of.

SANJEEV NARULA, J

AUGUST 26, 2025
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