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

+ **W.P.(CRL) 3005/2024**

VIJAY KUMAR KHANNA

.....Petitioner

Through: **Ms. Urvashi Bhatia, Advocate**
versus

STATE OF NCT OF DELHI & ORS.Respondents

Through: **Mr. Sangeet Sibou, Advocate for Mr. Rahul Tyagi, ASC (Crl.) for the State with Mr. Mathew M. Philip and Mr. Aniket Kumar Singh, Advocates SI Mohit Singh, PS Moti Nagar Mr. Pritish Sabharwal, Advocate for MCD**

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% **28.02.2025**

1. This petition has been filed under Article 226 and 227 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNSS') seeking directions to the Respondents to provide police protection to the Petitioner.
2. Mr. Sangeet Sibou, learned counsel submits, pursuant to instructions received from the Enquiry Officer (EO), that the unauthorized construction being executed by the temple authorities has been halted. He further states that the illegal structure has been demolished, and the encroachment has been duly removed. Consequently, he submits that the status of the land has been restored to its original status.
3. The EO who is present in Court has assured that the police at Police



Station (PS) Moti Nagar are keeping a watch and ward on the site and will ensure that no illegal construction takes place in future.

4. Mr. Pritish, learned standing counsel for MCD has handed over a status report. It is stated that construction by the temple authorities which was an encroachment on the public land has been largely removed. It is stated that only a sun-shade of approximately 1.5 ft. exists at the site.

4.1. The MCD will ensure that the sun-shade is also removed within two (2) weeks.

4.2. The MCD is directed to place the status report on record.

4.3. The Court Master is directed to take the copy of the status report handed over on record.

5. The SHO, Police Station PS Moti Nagar is directed to ensure that in case any distress call is received from the Petitioner, the beat constable and the SHO will remain responsive. The SHO shall provide the Petitioner with his and the beat constable's mobile number.

6. In view of the aforesaid circumstances, the petition is disposed of reserving liberty to the Petitioner to approach this Court in case the temple authorities restart any illegal construction.

7. Pending applications stand disposed of.

MANMEET PRITAM SINGH ARORA, J

FEBRUARY 28, 2025/msh/AM

Click here to check corrigendum, if any