



\$~29

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 3456/2024**
SHILPA GULATIPetitioner

Through: Mr. Nipun Bhardwaj, Advocate
versus

STATE GOVT. OF NCT OF DELHI AND ORS.Respondent
Through: Mr. Rahul Tyagi, ASC for the State
W/SI Sonal Raj, P.S.: Model Town

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% **24.01.2025**

1. The present writ petition has been filed under Article 226 of the Constitution of India read with Section 528 of the Bhartiya Nagarik Suraksha Sanhiyta, 2023 (BNSS) seeking the following reliefs: -

(i) To direct the police officials to provide security to the Petitioner and check at intervals about his welfare so that no one/respondent no.2 and 3 can cause any harm to his life and Liberty.

(ii) direct the respondent 1 register a case against respondents no. 2 and 3 for forcefully entering the Petitioners' house with the intention to hurt the petitioner and her family members trespassing, threat to life, criminal intimidation, threat to assassinate the character and other provisions of law.

(iii) Further direct the respondent no.2 to 3 not to harass/threat the petitioner anymore.

2. Learned ASC appearing for the state submits that the phone number of the concerned Station House Officer (SHO) and the Beat Constable has been provided to the Petitioner and the Beat Constable and the SHO are responsive to any distress calls made by the Petitioner.

2.1 He states that thus, the relief sought in prayer clause (i) has already been satisfied.

2.2 He states that with respect to the relief sought in prayer clause (ii), the



Petitioner has already availed her statutory remedy and has approached the learned Metropolitan Magistrate under Section 175(3) of BNSS. He states therefore no further direction need be issued in furtherance of the said prayer clause.

2.3 He states that with respect to the relief sought at prayer clause (iii), the parties have already availed their civil remedies against each other. He states that Petitioner and Respondent Nos. 2 and 3 are related to each other and the dispute pertains to the immovable asset owned by Shri Roshan Lal Gulati i.e. father-in-law of the Petitioner.

3. This Court has considered the submissions of the Respondent No.1 and is satisfied that relief sought at prayer clause (i) stands satisfied. The concerned SHO and the Beat Constable are directed to remain responsive to any distress calls received from the Petitioner.

4. Petitioner is at liberty to pursue her legal proceedings before the learned Metropolitan Magistrate and no further direction in terms of prayer clause (ii) are warranted.

5. Similarly, with respect to prayer clause (iii), since parties have already availed their civil remedies; no further direction is required to be issued.

6. The petition is accordingly disposed of along with pending application if any, reserving the pleas of the Petitioner to be decided before the appropriate forum in accordance with law.

7. Nothing said in this order is an expression of opinion on the merits of the allegations made by the Petitioner in this petition.

MANMEET PRITAM SINGH ARORA, J

JANUARY 24, 2025/mt/sk

Click here to check corrigendum, if any