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

+ **W.P.(CRL) 3640/2024**

**DEEPAK ANAND MASIH**

.....Petitioner

Through:

versus

**STATE OF GNCTD DELHI AND ORS.**

.....Respondent

Through: Mr. Sanjeev Bhandari, ASC for State.

**CORAM:**

**HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA**

**ORDER**

**12.11.2025**

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1. A Writ Petition under Article 226 of Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed on behalf of the Petitioner for directions to the Respondents as may be appropriate in the facts and circumstances of this case.

2. The prayers made are as under :

*“(a) Direct the DCP to provide security to the petitioner with the immediate effect upon petitioner's cost in the interest of justice;*

*(b) Transfer the investigation of the complaints of the petitioner to District Unit of Distt South-East Police and may kindly monitor the investigation;*

*(c) Direct the SP, ACB, CBI to investigate the corrupt collusion between police & accused persons;*

*(d) Direct the District Manager, BSES to provide electricity connection to the petitioner on urgent basis;*

*(e) Any other or further order/relief which this Hon'ble Court may deem fit, just and proper In the facts and circumstances of the above said case may kindly be*



*passed in favour of the petitioner.”*

3. The brief facts as narrated in the Petition are that the Petitioner was a practicing lawyer and a Member of Supreme Court Bar with a standing of more than 25 years and is a person of credible repute. He had been appointed Duty Counsel/LC (Defence/Victim Unit) in International Criminal Court, Hague, Netherlands w.e.f June, 2017. Due to his professional position, he is exposed to highest level of threats and risk perceptions.

4. The Accused persons are Realtors and Massage Parlor business persons, who run a sham Company which engages into all sorts of illegal activities. They had been extending serious threats to the Petitioner of getting him killed and getting his daughter abducted, raped and killed. Twice, they made pre-meditated forceful entry into Petitioner's house after full preparation, to cause grievous harm to the Petitioner and his family members; firstly, on 10.11.2024 and secondly, on 16.11.2024. He immediately reported to local Police/SHO, Amar Colony, Lajpat Nagar, concerned DCP and LG of NCT of Delhi through Principal Secretary, but no action was taken. These incidents have been duly recorded in CCTV Camera and video recording has been given to the Police and the DCP concerned.

5. Due to the complex nature of the Petitioner's working and some security concerns in view of his profession involvement in the ongoing cases like "Ukraine-Russia situation", "Palestine-Israel situation", the Petitioner took one Unit from the accused persons on rent @ Rs.75,000/- per month + Rs.3500/- towards maintenance in House No.E-334, First Floor, East of Kailash, New Delhi in January, 2024 where he lived alone periodically as



half of the time, he was away.

6. Though the Accused had been harassing the Petitioner since beginning on petty issues, the Petitioner has been paying rent/all dues on time, ignoring that “nothing in the Unit worked properly”. His Unit does not have the Regular Electricity Meter since beginning, causing extreme distress. Despite repeated requests and repeated assurances by the Accused persons, there is no regular electricity meter provided to him till date resulting in his filing a Complaint dated 31.08.2024 and initiating damage proceedings against the Respondents. The Accused have also converted some part of the building into commercial use even though it is a residential building.

7. In September, 2024 a two room Unit has been let out to a hospital, which runs a dormitory and around 20 people sleep/stay there on shift basis causing acute shortage of water in the entire building. The Petitioner raised objection on it. Apparently, infuriated by Petitioner’s steps, the Accused persons indulged into acts as stated herein above. The local Police is colluding with the Accused persons who are emboldened and are presenting a live example of Kangaroo court, mob justice and island of lawlessness in the heart of the national capital.

8. It has been learnt few days ago that the Accused persons most likely do not have any valid right or title in the property in question and they have not been provided Electricity Meter.

9. Petitioner’s multiple Complaints starting from Local Police to Lt. Governor of NCT of Delhi regarding the state of affairs, is completely ineffective due to corrupt collusion of local Police/IO, P.S. Amar Colony and by any standard posing grave threat to the safety of the Petitioner and to



the family members. There is no other alternate efficacious remedy left with the Petitioner, but to approach this Court for necessary directions.

10. **Status Report** has been filed on behalf of the State, wherein it is submitted that the **first Complaint** vide CCTNS 1331/24 dated 31.08.2024 was filed by the Petitioner regarding disconnection of electricity meter due to non payment by landlord, due to which Petitioner claimed harassment physically and mentally and also economical loss. The gist of the Complaint is civil in nature and hence, the Complaint was filed.

11. **Second Complaint** CCTNS No.1708/24 dated 13.11.2024 was filed in regard to in action on his previous Complaint and the same was pending enquiry. During this, a PCR Call vide GD No.51A dated 16.11.2024 was made by the Petitioner which was entrusted to HC Ramprasad Meena to reach the place of incident.

12. On enquiry it was found that the Petitioner was residing at H.No.334, First Floor, East of Kailash as a tenant since January, 2024 but has not paid rent for last four months. Hence, the landlord Ms. Tarun Makhija came to the property to get her rent from the Petitioner on which he said that he has already sent the cheques by DTDC Courier service, but landlord denied having received any of these cheques. The Complaint was found relating to the rent issues and was, therefore, closed.

13. **Third Complaint** vide CCTNS No.1729/24 dated 16.11.2024 was entrusted to ASI Santosh Kumar for necessary action. During enquiry the Complainant was examined and his statement was recorded. He also provided a video clip in which the Respondent had come to the premises to seek rent from the Petitioner. On enquiry from the Petitioner, it was revealed that he had been residing in the tenanted premises since January,



2024 on rent of Rs.75,000/- per month + Rs.3500/- maintenance charges per month, but in between, issue of electricity meter arose and the Electricity Meter of that Unit provided by the Respondent, was taken away by the Electricity Department due to non-payment of three months bill.

14. The electricity bill was paid by the Petitioner, but the electricity meter could not be reinstalled as the Electricity Department required Rent Agreement between registered owner and lessee. The current Rent Agreement is between the Petitioner and the Director of Femstay Luxury Homes, Taruna Makhija. Hence, the Petitioner has stopped paying further rent to the Respondent.

15. Respondent Taruna Makhija was examined who informed that the Petitioner has not been paying the rent since four months and therefore, she had merely gone to the property for collecting rent from the Petitioner, as the Petitioner is not vacating the premises despite receiving Vacation Notice from her.

16. The preliminary enquiry so conducted had revealed that the dispute is primarily between landlord and tenant of rent and is of civil nature and no FIR has been registered till date.

17. The Petitioner is an accused in FIR No.289 of 2021 registered under Section 509/354 IPC at P.S. Greater Kailash on 03.11.2021 which is pending for framing of Charges before the learned Trial Court.

18. The Petitioner who has appeared through Video Conferencing, submits that this situation may become ballistic in future and the Status Report has stated completely incorrect facts. Furthermore, there are Whatsapp chats being circulated and threats are being given that the daughter of the petitioner shall be abducted and raped. Hence, the Petition



needs the directions to be made as has been sought by the Counsel for the Petitioner.

**Submissions heard and record perused.**

19. Essentially the genesis of the entire dispute rests in the Petitioner being a tenant in the premises of the Respondent and there being disputes about the electricity connection being disrupted. There are also issues about non-payment of rent. It is evident that these all are essentially civil disputes as has been mentioned in the Status Report and no directions in a Criminal Writ can be given in this regard. The Petitioner is at liberty to approach the Civil Court.

20. The second set of grievance is that there is a video recording to show that the petitioner had been assaulted by Taruna Makhija. If the Petitioner thinks that there is any criminal offence committed, he is at liberty to proceed in accordance with the provisions of BNSS by filing an appropriate Complaint before the learned Trial Court.

21. It is further contended that there are Whatsapp messages being circulated where there is a potential threat being given for the daughter of the Petitioner. However, this again cannot be addressed in the present Writ Petition. The Petitioner is at liberty to file the appropriate Complaints before the learned Trial Court, to seek the appropriate reliefs.

22. There are no further directions warranted in the present case which is hereby disposed of along with the pending Applications.

**NEENA BANSAL KRISHNA, J**

**NOVEMBER 12, 2025**

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