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

+ **W.P.(CRL) 3/2025**

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.....Petitioner

Through: Ms. Shabana Anjum, Advocate

versus

STATE OF DELHI & ORS.

...Respondents

Through: Mr. Anand V. Khatir, ASC for the
State with SI Mahendra Patel and HC
Maninder, P.S. Narela.

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

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07.01.2025

CRL.M.A. 14/2025 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

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3. The instant petition under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereafter 'BNSS') has been filed on behalf of the petitioner seeking following prayers:

“(a) Direct to the S.H.O. of P.S. Narela to provide security to the petitioner.

(b) Direct the S.H.O. of P.S. Narela to add appropriate section of offences committed by the accused persons in under section of 109 BNS...”

4. Issue notice. Mr. Anand V. Khatri, learned ASC (Crl.) accepts notice



on behalf of State/respondent no. 1.

5. Brief facts of the case are that on 15.09.2024 at about 10:30 PM, the accused persons mentioned in the FIR had beaten and caused head injury by deadly weapon to the petitioner herein. On 16.09.2024, the petitioner had written a complaint against the accused persons. On the said date, the present FIR bearing no. 0613/2024 got registered on the complaint of petitioner against the accused persons for the offences punishable under Sections 115(2)/126(2)/79/3(5) of Bharatiya Nyaya Sanhita (hereafter 'BNS') at P.S. Narela, Delhi.

6. Heard the submissions on behalf of petitioner as well as the State.

7. As far as prayer (b) is concerned, by way of which the petitioner seeks issuance of direction to the SHO, Police Station Narela, Delhi to add appropriate section of offences allegedly committed by the accused persons, is concerned, this Court is of the view that the matter is under investigation and this Court cannot issue any direction to add any section of law, which may be added during the course of investigation by the police or after the learned counsel for the petitioner moves an application in this regard at an appropriate stage or after charge-sheet is filed. Accordingly the prayer (b) stands rejected.

8. Insofar as prayer (a) is concerned, considering the overall facts and circumstances of the case, and the fact that petitioner has prayed for protection of his life as he is apprehending threat from accused persons, the petitioner is directed to provide his mobile number to the Investigating Officer and SHO concerned. Similarly, the mobile numbers of concerned IO, SHO and beat constable be also shared with the petitioner.

9. The officials of P.S. Narela, Delhi including SHO, are directed to



provide adequate protection to the petitioner from accused persons, in case such circumstances arise.

10. Accordingly, the present writ petition stands disposed of in above terms.

11. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

JANUARY 07, 2025/zp

Click here to check corrigendum, if any