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

+ **W.P.(CRL) 661/2026**

MISBAH KHAN

.....Petitioner

Through: Mohd. Ishaq Tahir and Mr. Sekh
Amanulla Irfan, Advocates

versus

STATE NCT OF DELHI AND ORS.

.....Respondents

Through: Mr. Anand V. Khatri, ASC for the
State with Mr. Aditya Khatri
Advocate and SI Shakti Singh, P.S.
Darya Ganj

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

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24.02.2026

CRL.M.A. 6144/2026 (exemption)

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

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3. By way of the instant petition, the petitioner seeks following prayer:

“1. Issue an appropriate writ, order or direction in the nature of Mandamus and/or any other appropriate writ, directing Respondent Nos. 1 and 2 to ensure that the private respondents, namely Respondent No. 3 and his family members, associates, agents or any person acting on their behalf, are restrained from entering, interfering with, or approaching the residential premises of the Petitioner bearing No. 2928, First Floor, Gali Sadat Ali, Sir Syed Ahmed Road, Daryaganj, New Delhi, except through due process of law;



2. Issue an appropriate writ, order or direction directing the respondent police authorities to provide necessary and immediate protection so as to ensure that the private respondents do not unlawfully enter, intimidate, threaten, harass, or otherwise interfere with the Petitioner's peaceful possession, privacy and residence..."
4. This Court notes that the grievance raised by the petitioners in the present writ petition is not maintainable before this Court as the issue involved in the present case is of a civil nature, which, in the opinion of this Court, can be adjudicated by the appropriate Court of law.
5. The learned ASC for the State, however, submits that a complaint has been received from the petitioner on which they have acted and a kalandra will be filed within two days.
6. Also in the meantime, it is directed that the phone number of the beat constable be given to the complainant, so that, in case of any need or any threat she receives, she will inform him, which will be attended to, promptly.
7. With these directions, the present petition stands disposed of.
8. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

FEBRUARY 24, 2026/ns/R