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

+ W.P.(CRL) 1554/2022, CRL.M.A. 13526/2022 (for exemption)
JINDAL KUMAR Petitioner

Through: Mr. M.K. Gahlaut, Advocate
versus

THE STATE (GOVT. OF NCT OF DELHI) AND ANR.

..... Respondents

Through: Ms.Nandita Rao, ASC (Crl.)

CORAM:

HON'BLE MS. JUSTICE ASHA MENON

ORDER

% **18.07.2022**

CRL.M.A. 13526/2022 (for exemption)

1. Allowed, subject to all just exceptions.
2. The applications stand disposed of.

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3. This petition has been filed under Article 226 of Constitution of India read with Section 482 Cr.P.C with the following directions;

- i. *Pass a writ/order/instruction/direction in the nature of mandamus thereby directing the respondents jointly and severally to make a enquiry in respect of the correct identification of (1) Nihal Singh S/o SH. Nirmal Singh (2) Neeraj S/O Kundan Lal (3) Nanak Chand S/o Not Known (4) Charanjeet Singh S/o Not Known.*
- ii. *Pass a writ/order/instruction/direction in the nature of mandamus thereby directing the respondents jointly and severally to make an enquiry in respect of Adhaar Cards, Voter Cards, Driving License and Pan Cards existing in the name of (1) Nihal Singh S/O SH. Nirmal Singh (2) Neeraj S/O Kundan Lal (3) Nanak*

Chand S/o Not Known (4) Charanjeet Singh S/o Not Known.

4. Mr. M.K. Gahlaut, learned counsel for the petitioner submits that the respondent in the kalandra proceedings has been using different names and identities and therefore the police be directed to fix his true identity.
5. Ms.Nandita Rao, learned Additional Standing Counsel submits that the petitioner is a regular complainant and it is submitted that a kalandra was taken against the petitioner when a quarrel occurred when the access by the petitioner's wife to the terrace was not allowed by the respondent in the kalandra. It is submitted that presently, the respondent is not residing in the premises.
6. Learned counsel for the petitioner submits that the petitioner is not a regular complainant but admits that the kalandra was initiated against both the parties, which has been disposed of. However, he insists that no action has been taken on his complaint.
7. After hearing submissions, this Court finds no merit in the present petition. The Court cannot issue directions to fix identity when no cause is shown. Subjecting a citizen to police scrutiny including verification of his personal documents for no good reason, except on the whimsical demand of the petitioner would entail a serious invasion of the respondent's right to privacy.
8. The petition has to and is accordingly dismissed.
9. The petition is dismissed.
10. The order be uploaded on the website forthwith.

ASHA MENON, J

JULY 18, 2022/ak

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