IN THE STATE COURTS OF THE REPUBLIC OF SINGAPORE

[2026] SGPHC 1

Protection from Harassment Court — Case Nos. 10170 of 2025 and Counterclaim 10008 of 2025

Between

JGH

… *Claimant*

And

JGI

… *Respondent*

JUDGMENT

[Protection From Harassment] – [Threatening, abusive, or insulting words or behaviour] – [Likelihood of harassment continuing] – [Damages]

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JGH
v
JGI

[2026] SGPHC 1

Protection from Harassment Court Judge Lee Li Choon

2 September 2025, 14 October 2025, and 6 January 2026

5 February 2026 Judgment reserved.

Protection from Harassment Court Judge Lee Li Choon:

1 I heard the harassment claim in PHC/10170/2025 and the counterclaim PHC/CC/10008/2025 over three days – 2 September 2025, 14 October 2025 and 6 January 2026. This is my written judgment in relation to the claim and counterclaim.

Parties' History

2 During the period 3 June 2023 to 8 April 2025, the Claimant resided in the Respondent's HDB unit ("the property") together with her husband under a two-year tenancy agreement commencing on 3 June 2023.

3 The Claimant's stay in the property from 3 June 2023 to 13 January 2025 was relatively peaceful. It is undisputed that during this period, the Claimant

and her husband shared the property with the Respondent's son, who resided in the master bedroom.

4 On 14 January 2025, the Respondent's son left for his university study internship in Finland. The Respondent, who had been residing in India, returned to Singapore and took up residence in the property from that day.

5 On 23 January 2025, the Respondent informed the Claimant and her husband that he would be residing in the property until the end of their tenancy. The next day, 24 January 2025, the Claimant's husband filed a claim at the Small Claims Tribunals ("SCT") against the Respondent for breach of their tenancy agreement. His claim was based on his assertion that their tenancy agreement provided for their exclusive possession of the property and that the Respondent had breached the tenancy agreement by staying in the property. In response to the Claimant's husband's claim, the Respondent filed a counterclaim at the SCT for unpaid rental. The Respondent remained in the property until 26 February 2025.

6 During this period (24 January to 26 February 2025), there were instances of unfriendly interactions between the Claimant, her husband, and the Respondent regarding the Respondent's unwelcome stay in the property.

7 On 26 February 2025, the Respondent returned to India, and all was peaceful again until 27 March 2025, when the Respondent returned to the property unannounced. The incident that occurred when the Respondent forced his way into the property against the resistance of the Claimant and her husband became the catalyst for the Claimant's harassment claim against the Respondent, which was filed the next day on 28 March 2025. For this claim, the Claimant was granted an Expedited Protection Order on 3 April 2025,

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prohibiting the Respondent from using any threatening words towards the Claimant and from voluntarily causing hurt to the Claimant.

The Claimant's claim and the Respondent's response and counterclaim

8 In her claim, the Claimant sought a Protection Order and damages of $20,000 against the Respondent based on his alleged contravention of sections 3, 4 and 5 of the Protection from Harassment Act ("PFHA").

The alleged harassment

9 In the Claim Form, the Claimant stated that her claim was predicated on the following contraventions of the PFHA:

(a) The Respondent had:

(i) "Sat at the living room to stare at her while (she) walked from the bathroom to her bedroom in a bathrobe".

(ii) "Shouted and banged doors and threatened to change locks to lock (her and her husband) out of the property and install CCTV cameras in the property without (their) permission".

(b) On 27 March 2025, at approximately 4.30pm, "(the Respondent) entered the property using his spare key without prior notice" and "when confronted by (the Claimant), he forcefully pushed (her) aside and verbally threatened (her) stating, "I have to kill you"".

10 The Claimant further stated that she had lodged a police report on 24 January 2025 against the Respondent for unauthorised entry into the property and breach of her right to quiet enjoyment under the tenancy agreement. As this

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matter relates to a separate dispute arising from the tenancy agreement – which was the subject of the parties' SCT proceedings – it falls outside the scope of the present proceedings and will not be addressed in this judgment.

The Respondent's response and counterclaim

11 In response, the Respondent stated that the PFHA claim "was aimed at extracting money from him". He filed a counterclaim against the Claimant for harassment, alleging that the Claimant and her husband had on 27 March 2025 "intimidated him from exercising his right to live in his flat by blocking, shouting 'Get out Get out', 'Fuck you Fuck you' and by locking his master bedroom door". He alleged that their blocking his entry into his property was to "intimidate him" and to "instigate him to make mistakes, provoking him to yell". The Respondent alleged that he had suffered damages of $2,050 because of their alleged harassment.

12 On Day 1 of the trial (2 September 2025), it was ascertained that the Respondent's claim for damages was for medical expenses he had allegedly incurred due to the alleged false accusation. However, on Day 2 of the trial (14 October 2025), the Respondent informed the court that he no longer wished to pursue damages against the Claimant.

Parties' SCT proceedings

13 As the tenancy agreement formed the background of parties' dispute, whilst the tenancy dispute is irrelevant to these proceedings, it is nonetheless appropriate to briefly mention some material findings made by the Tribunal Magistrate regarding that dispute.

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14 For that dispute, the Claimant's husband claimed damages against the Respondent for breach of the tenancy agreement and the Respondent counterclaimed for unpaid rental.

15 The SCT proceedings were concluded on 23 June 2025 when the Tribunal Magistrate who heard the claim and counterclaim handed down his judgment with his findings that *the Claimant and her husband did not have exclusive right and access to the property*. The Tribunal Magistrate found that under clause 2(g) of the tenancy agreement, the Respondent was entitled to stay in the property, albeit for only "a few days". Although it was not clear in the judgment, the Respondent's entitlement to stay in the property was presumably limited to a few days for any period of stay. In relation to the Respondent's stay from 14 January 2025 to 26 February 2025, which was one month and 12 days, the Tribunal Magistrate allowed six days in recognition of parties' agreement under clause 2(g) of the tenancy agreement and the "overstay" of one month and six days was discounted from the Claimant's husband's liability to the Respondent for unpaid rent.

The applicable law

16 Under section 12(2) PFHA, for a Protection Order to be issued against the Respondent, the Claimant must prove, on a balance of probabilities that the following three requirements are satisfied:

(a) First Requirement: The Claimant must prove that the Respondent has contravened sections 3, 4 or 5 of the PFHA in respect of herself.

(i) A contravention under section 3 PFHA means that the Respondent has *intentionally* caused harassment, alarm

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or distress to the Claimant by using threatening, abusive or insulting words, behaviour or communication.

(ii) A contravention under section 4 PFHA means that the Respondent has used threatening, abusive or insulting words, behaviour or communication in respect of the Claimant and *the Claimant*, having perceived such threatening, abusive or insulting words, behaviour or communication, *is likely to be caused* harassment, alarm or distress.

(iii) A contravention under section 5 PFHA means that the Respondent, by the use of threatening, abusive or insulting words, behaviour or communication, has either intentionally caused the Claimant to believe that unlawful violence will be used against her or whereby she is likely to believe that unlawful violence will be used.

(b) Second Requirement: The Claimant must show that the Respondent is *likely to continue* the contravention complained of or *is likely to commit another contravention* in respect of her.

(c) Third Requirement: It is *just and equitable* in the circumstances for a Protection Order to be issued.

17 With regard to the meaning of the words – "threatening", "abusive", "insulting", "harassment", "alarm", "distress" – I am guided by the decision of the High Court in *Benber Dayao v Jacter Singh* [2017] 5 SLR 316 ("*Benber*"), where the Court stated that these words are to be accorded their commonsense, everyday meanings, and that the assessment of whether a person's words,

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actions, or communications fulfil these commonsense definitions is an objective one (see *Benber* at [31] and [34]).

18 In relation to the claim for damages, section 11(2) PFHA provides that if the court is satisfied on the balance of probabilities that the Respondent has contravened sections 3, 4 or 5 of the PFHA, the court *may award such damages* in respect of the contravention as the court may, having regard to all the circumstances of the case, think *just and equitable*. As such, the claim for damages becomes relevant for my consideration only if I find that the Respondent has contravened sections 3, 4 or 5 of the PFHA.

Issues for determination

19 Based on the applicable law and the allegations as set out above, the issues for my determination are:

(a) Whether the Respondent has contravened the provisions of the PFHA as alleged:

(i) By "sitting at the living room to stare at the Claimant while she walked from the bathroom to her bedroom in a bathrobe".

(ii) By "shouting and banging doors and threatening to change locks to lock her and her husband out of the property and installing CCTV cameras in the property without their permission".

(iii) By entering the property without prior notice using his spare key and forcefully pushing the Claimant aside when he was confronted by the Claimant and verbally

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threatening her with the words "I have to kill you" on 27 March 2025.

(b) If so, whether the Respondent is likely to continue his contravention or likely to commit another contravention of the PFHA in respect of the Claimant.

(c) Whether it is just and equitable to grant a Protection Order against the Respondent.

(d) If the Respondent is found to have contravened PFHA, whether damages should be awarded to the Claimant.

Findings

20 Having carefully considered the evidence placed before this court, in particular, the video evidence and audio recordings tendered by both parties and the testimonies of the parties and the Claimant's husband, I make the findings as detailed below.

Whether the Respondent has contravened the provisions of the PFHA

Alleged harassment by staring at the Claimant

21 On this allegation, I start by stating that if proven, prolonged staring, especially if done on multiple occasions, is a threatening, abusive or insulting act and therefore prima facie a contravention of sections 3 and 4 of the PFHA.

22 In support of the Claimant's allegation that the Respondent has contravened the PFHA by staring at her, the Claimant's husband filed a written statement in which he stated as follows:

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(a) He witnessed "multiple, deeply disturbing instances of sexual harassment perpetrated by the Respondent during his unauthorized occupation in the property".

(b) He saw the Respondent "intentionally positioning himself in the hall and staring intently at his wife even as he knew she had to use the bathroom. This was not a casual glance but a deliberate and prolonged act that clearly made her feel profoundly violated, exposed, and stripped of her dignity within her own home".

(c) He witnessed "deeply unsettling incidents where the Respondent would deliberately wait outside the bathroom or position himself in the adjacent kitchen area while his wife was using the bathroom".

(d) On 24 January 2025, he "directly confronted the Respondent regarding his unsettling behaviour, specifically asking him to cease his prolonged staring and to respect his wife's privacy, as she was understandably uncomfortable navigating hall and kitchen areas in her bathrobe."

23 On Day 2 of the trial (14 October 2025), the Claimant's husband confirmed his reliance on the following video and audio recordings to support his allegations above:

(a) Three video recordings of his confrontation with the Respondent on 24 January 2025 taken by him and the Claimant.

(b) Two audio recordings taken on 18 January 2025.

(c) Two video recordings taken on 20 January 2025 showing the Respondent in the kitchen.

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24 I am of the view that compared with the bare allegations or assertions in the Claimant's husband's oral testimony and witness statement, the evidence through the video and audio recordings is more objective. I shall proceed to analyse these in detail.

(1) Three video recordings taken on 24 January 2025

25 The three video recordings taken sequentially on the same occasion show as follows:

> The Respondent was sitting on the sofa in the living room when the Claimant's husband approached him. As he approached the Respondent, he asked the Respondent to vacate the living room. The Respondent refused, stating, "No, this is my place" and telling the Claimant's husband to go and lodge a complaint if he wished. The Claimant's husband then said, ***"Here's the thing, my wife doesn't feel comfortable"*** and the Respondent responded with, "I don't care about it anymore". A verbal exchange then broke out among the Claimant, her husband and the Respondent concerning what was agreed and whether the Respondent was allowed to use the living room or live in the property. In the third video recording, the Claimant is heard shouting at the Respondent, asking "why are you here", "it is not your house when you leased it", etc and the Respondent is heard shouting, "we will settle it in the court" and "I never entered your room". The Claimant is also heard telling the Respondent that she was recording the video evidence to show he was harassing her and her husband.

26 Having analysed the three video recordings, I find that the strongest piece of evidence in support of this allegation of harassment by the Respondent staring at the Claimant is the Claimant's husband's statement: ***"Here's the thing, my wife doesn't feel comfortable"***.

27 On this statement, I find that it merely alludes to the Claimant being uncomfortable with the Respondent being in the living room or being in the

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property; it does not show that the Respondent had stared at the Claimant, and that her discomfort was due to that.

28 From the video recordings, it is clear that the statement was made against the background and in the context of their ongoing discussion regarding the Respondent's unwelcome stay as perceived by the Claimant and her husband. The Respondent's assertion – "this is my place"; "we will settle it in the court" and the Claimant's retort – "why are you here?"; "it is not your house when you leased it" shows that the verbal exchange among the three parties was about their dispute concerning whether the Respondent was entitled to be in the property. Based on this context for their verbal exchange, the logical and reasonable interpretation of the Claimant's husband's statement – ***"Here's the thing, my wife doesn't feel comfortable"*** – is that he was referring to the Claimant's general discomfort with the Respondent being in the house.

29 I am therefore not satisfied that the statement is to be construed to allude to the fact that the Respondent had stared at the Claimant and that her discomfort was due to that.

30 Whilst I accept that the Claimant was uncomfortable with the Respondent occupying the property, his occupation in the property alone, which, as found by the Tribunal Magistrate hearing the parties' SCT claim and counterclaim, does not amount to an unauthorised occupation, and therefore does not constitute an act of harassment.

31 I therefore conclude that the objective video evidence does not show that the Respondent has contravened the PFHA by staring at the Claimant.

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(2) Two audio recordings taken on 18 January 2025

32 Similarly, the audio recordings taken on 18 January 2025 do not support the allegation that the Respondent had stared at the Claimant.

33 In the audio recordings, the Claimant had alluded to the reason why she did not have any issues with the Respondent's son living there, but not the Respondent: the Respondent's son is allegedly gay. While this may explain why the Claimant could not accept the presence of the Respondent as opposed to his son, as there is nothing said about the Respondent having stared at her at all, it does not show that the Respondent had contravened sections 3 and 4 PFHA by staring at her.

(3) Two video recordings taken on 20 January 2025

34 The two video recordings taken on 20 January 2025 merely show the Respondent going to the kitchen, making himself a drink in the kitchen, and then leaving the kitchen immediately thereafter. The video recordings do not show the Respondent lingering in the kitchen. From the video recordings, the Respondent was seemingly unaware that a video recording was being taken of him.

35 Given that the Claimant had adduced evidence of video recordings taken without the Respondent being aware, I find it odd that she could not have submitted evidence such as video or audio recordings showing the Respondent staring at her or at least, showing her or her husband's confrontation of the Respondent for doing so or having done so, if indeed that had happened, especially if that had happened on multiple occasions.

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(4) Conclusion on whether the Respondent has contravened the PFHA by staring at the Claimant

36 Overall, after a careful consideration of the above objective evidence submitted to substantiate the allegation that the Respondent has contravened the PFHA by staring at the Claimant, I conclude that the Claimant has not proven this allegation on a balance of probabilities.

Alleged harassment by banging doors, shouting at the Claimant and threatening to lock her and her husband out

37 For the allegations concerning the Respondent's shouting, banging of doors, and threatening to lock the Claimant out or install CCTVs, I note that the allegations contain no specific details or factual description. I note too that other than the bare assertions in the claim form, the Claimant did not seriously pursue this allegation at trial and did not cover this allegation in her closing submissions.

38 Further, I find that the allegations stemmed from the Claimant's and her husband's perception that they were entitled to exclusive possession of the property which, as found by the Tribunal Magistrate in the SCT proceedings, is erroneous. Regarding this perception, I find that it did not align with the reality that they had shared the property with the Respondent's son who lived in the master bedroom prior to the start of their dispute with the Respondent. The Claimant's position that she and her husband have exclusive possession of the property to the total exclusion of the Respondent, the owner of the property, was therefore untenable from the outset.

39 I therefore find that the Claimant has not established that the Respondent has contravened the PFHA by shouting, banging of doors, threatening to lock them out or install CCTV cameras without her permission.

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Alleged harassment on 27 March 2025

40 I turn now to the incident on 27 March 2025.

41 The Claimant's evidence regarding harassment in this incident comprises video footages taken on her husband's mobile phone. From the video footages, the following facts are established.

(a) Both the Claimant and her husband anticipated the Respondent's entry into the house. This explains why the Claimant's husband was ready to film the proceedings on his mobile phone and the Claimant was able to submit video footages detailing the entire incident.

(b) The Claimant was at the door before the Respondent's entry into the house.

(c) The Claimant and her husband were shouting at the Respondent as the latter forced his way into the house, stating that he was trespassing.

42 Given the Tribunal Magistrate's findings in the SCT proceedings, I accept the Respondent's position that he had the right to enter the property on 27 March 2025.

43 As for the words, "I will kill you" or "I have to kill you" – the words by themselves are prima facie threatening.

44 Nevertheless, based on the video footages of the incident taken by the Claimant's husband, I find that the words were uttered amid the loud commotion that had broken out among the three parties as the Respondent forced his way into his property. In that commotion, the Claimant and/or her husband could be

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heard shouting, "get out, get out"; "fuck you, fuck you" and "you are trespassing", etc.

45 When questioned whether he had forcefully pushed the Claimant aside and verbally threatened her, stating "I will kill you" or "I have to kill you", the Respondent explained that he had reacted out of frustration when his entry into the house was blocked and acknowledged that he said, "I will kill you".

> Court: I want you to focus on what the Claimant has alleged against you. Did you forcefully push her aside and verbally threaten her, stating you had to kill her?
>
> Respondent: Because she continued to block me, because I had to go into my house, I had to push her to enter the house. Out of frustration and because my right to enter into my own home is denied, I yelled at her in the meaning that don't do this to me. I don't remember what I told her. Later after seeing the video, I understand that I did say I will kill you. But this is without any intention of harming.

46 Based on the video evidence and the Respondent's explanation, I am satisfied that the Respondent's act of pushing the Claimant aside and threatening words were a one-off incident made on the spur of the moment in response to the Claimant's act of blocking his entry in her attempt to deprive him of what he perceived to be his legal right of access and possession of his property.

47 The Respondent contended that theirs was nothing more than a tenancy dispute. He further testified that the Claimant and her husband had locked him out of his master bedroom without his permission. According to the Respondent, he was informed by the police officers who arrived on the scene that he could get a locksmith to open the door to the master bedroom and live there. However, as he did not wish to have any further entanglement with the Claimant and her

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husband, he chose to leave to stay at his brother's residence after the commotion on 27 March 2025.

48 On Day 2 of the trial, the Claimant's husband explained his reasons for recording the incident on 27 March 2025. He testified that he was positioned in the kitchen area, with the kitchen window overlooking the common corridor, when he observed the Respondent standing outside the gate. He commenced recording upon hearing sounds of someone attempting to open the main door. When questioned about his purpose in making the recording, he stated: "I wanted to record him going in and out as evidence of him using the flat in breach of the tenancy agreement".

49 This testimony illuminates the fundamental nature of the dispute between the parties at that time. Notably, this pre-emptive attempt to gather evidence of the Respondent's alleged breach of the tenancy agreement – presumably for the SCT proceedings that had already commenced – subsequently became the evidential foundation for the Claimant's harassment claim, which was itself precipitated by the very incident captured in the recording.

50 Based on the above and the circumstances surrounding the incident on 27 March 2025, I find that the incident concerned the Respondent exercising his perceived right of entry into the house and the Claimant and her husband's resistance and opposition to it. What happened was the result of their respective perception of their rights under the tenancy agreement.

51 I therefore find that the incident on 27 March 2025 was nothing more than the Claimant and her husband on the one side and the Respondent on the

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other side aggressively exercising or pursuing their respective perceived rights vis-à-vis the other.

52 Even assuming the Respondent's act of pushing past the Claimant and his words, "I will kill you" were threatening or abusive, I find that they were neither done nor said with the intention to cause harassment, alarm or distress. Further, given that the confrontation involved two persons on the Claimant's side against the Respondent alone, and that the Claimant and her husband were mentally prepared to confront the Respondent at the door – having positioned themselves to resist his entry whilst capturing the incident on video – I find that any threatening or abusive act and words would not be likely to cause harassment, alarm or distress to a reasonable person in the Claimant's position.

53 Accordingly, I conclude that there was no contravention of sections 3, 4 and 5 PFHA, even if the Respondent's conduct were found to be threatening, abusive, or insulting when considered in isolation.

54 I refer to the observations made by the then VK Rajah J in *Chee Siok Chin and others v Minister for Home Affairs and another* [2006] 1 SLR(R) 582 in relation to sections 13A and 13B of the Miscellaneous Offences (Public Order and Nuisance) Act (Cap 184, 1997 Rev Ed), the legislative predecessors of sections 3(1) and 4(1) of the PFHA, at [124]:

> …***Harassment describes determined conduct which is directed at persons and is calculated to produce discomfort and/or unease and/or distress***: see *Malcomson Nicholas Hugh Bertram v Mehta Naresh Kumar* [2001] 3 SLR(R) 379. … ***The essence of harassment*** is not just repetitive conduct but ***includes prolonged or persistent or sustained conduct. A persistent course of conduct for a sustained period of time can constitute harassment***. …
>
> [emphasis mine]

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55 Whilst sections 3(1) and 4(1) of the PFHA have broadened the protection afforded to victims of harassment, they retain the essence of the predecessor provisions in sections 13A and 13B of the Miscellaneous Offences (Public Order and Nuisance) Act (Cap 184, 1997 Rev Ed), which proscribed the use of threatening, abusive, or insulting words or behaviour with intent to cause harassment, or the use of threatening, abusive, or insulting words or behaviour that is likely to cause harassment. The observations of the then VK Rajah J therefore remain, in my view, relevant. To constitute harassment, there must be determined, prolonged, or persistent conduct calculated to produce discomfort, unease, or distress to the victim.

56 On the facts, what happened on 27 March 2025 was an isolated occurrence. Even when viewed most unfavourably, the Respondent's conduct was impulsive and reckless rather than deliberate. The incident does not reflect a calculated course of action designed to cause discomfort to the Claimant. Without evidence of a conduct calculated to cause discomfort, unease, or distress to the Claimant by the Respondent, the available evidence fails to establish that the Respondent contravened sections 3, 4 and 5 PFHA by virtue of his action and words during the incident on 27 March 2025.

Even if the Respondent has contravened the PFHA, whether such contravention is likely to continue.

57 Even if there were contraventions of the PFHA by the Respondent in the incident on 27 March 2025, the Claimant must establish that there is a likelihood of the contravention or harassment continuing in order for the court to issue the Protection Order in her favour.

58 I turn now to address this issue in greater detail.

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59 As a matter of fact, the lessor and lessee relationship between the parties has ended with the termination of the tenancy agreement on 8 April 2025. When asked why the Claimant is of the view that the Respondent would continue in his alleged harassment, the Claimant could only point to her tenuous speculation of meeting the Respondent at the temple near the Respondent's property.

60 As it is not disputed that the Respondent lives in India most of the time, I find the Claimant's case that the alleged harassment is likely to continue to be grasping at straws.

61 I conclude that, even assuming that there was contravention of the PFHA by the Respondent, there is no evidence whatsoever that such contravention is likely to continue.

Whether it is just and equitable for a Protection Order to be issued

62 Additionally, as the Respondent was subsequently vindicated regarding his perceived legal right of access to the property, albeit for few days, I find that it would not be just and equitable for a Protection Order to be issued based on the incident on 27 March 2025 in any event.

In relation to the claim for damages

63 As I have found no contravention of the PFHA by the Respondent, the Claimant's claim for damages must be dismissed.

The Respondent's counterclaim for a Protection Order

64 I come now to the Respondent's counterclaim based on the incident on 27 March 2025. For the same reasons I have given in relation to the Claimant's

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claim based on the same incident, the Respondent's counterclaim for a Protection Order is likewise dismissed, without more.

Conclusion

65 In conclusion, both the claim and the counterclaim are dismissed in their entirety. I order that each party bear their own costs.

Lee Li Choon
Protection from Harassment Court Judge

The claimant in person;
The respondent in person.

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