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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 2041/2015**
SHABNAM & ANR

..... Petitioner

Through: Mr. Surender Kaliraman &
Ms.Pushpa Kaliraman, Advs.

versus

THE STATE OF NCT OF DELHI & ORS

..... Respondent

Through: Mr. Ashish Aggarwal, ASC for the
State
SI Sunil Kumar, P.S. Govind Puri
Mr. Anil Kr. Mishra, Adv. for R-4

CORAM:
HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER
% **17.12.2015**

The petitioners, who have married each other on 01.04.2015 in accordance with Muslim religious rites at Bareilly, U.P. and are now residing in Delhi, have come up before this Court seeking police protection as they apprehend troubles at the hands of respondent No.4, who is the father of Shabnam (Petitioner No.1).

Respondent No.4 is present in person in the Court today. He is only apprehensive of the fact that his daughter may be turned out of her matrimonial home after the initial lust of petitioner No.2 is over.

I have interacted with the petitioners and respondent No.4. It appears that petitioner No.1 came in contact with petitioner No.2 and over the period of time, their friendship developed into a special relation. It was only

because of this acquired relationship between the parties that they chose to marry but without taking the consent of respondent no.4 or his family members.

On behalf of respondent No.4, it has been submitted that the mother of petitioner No.1 is bed ridden and is fighting Cancer. However, such emotional statements do not seem to have made any impact on the mind of petitioner No.1, who has made up her mind to stay with petitioner no.2 as his married wife.

This Court is in a bit of dilemma as to whether granting police protection to them would amount to accepting their marriage valid as petitioner No.1 is not of the age to contract or to enter into marital relationship. The date of birth of the petitioner No.1 is said to be 01.01.1994 which makes her major but on verification by the Police, it is found that her date of birth is 24.08.1999. Petitioner No.1 is almost on the brink of the majority. She is stated to be pregnant.

Considering the fact that petitioner No.1 is in the family way, this Court does not wish to enter into the aforesaid area of discussion viz. whether the marriage is valid. In any view of the matter, on interaction with respondent No.4, this Court is of the view that he has reconciled to the fact that his daughter is happily married with petitioner No.2, though some rancour in his heart still remains which is very evident.

This Court has taken the note of the fact that the family of petitioner No.2 has accepted petitioner No.1 in their household as the legally wedded wife of petitioner No.2.

In such circumstances, the SHO of the concerned police station is directed to keep a vigil at the place where the petitioners are residing.

The SHO of the concerned police station is directed to provide his mobile telephone number to the petitioners so that they can communicate to him about any threat or retaliatory action by respondent No.4 or from anybody on his behalf. Needless to say that whenever such a call comes from the petitioners, the SHO shall look into the matter and would act promptly and with urgent despatch.

The petition is disposed of.

Dasti.

ASHUTOSH KUMAR, J

DECEMBER 17, 2015

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