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

+ **W.P.(CRL) 100/2017 & CrI.M.A. 519/2017**

YASHODA BHARDWAJ & ANR

..... Petitioner

Represented by: Mr. Amit Saini, Adv.

versus

STATE (NCT OF DELHI) & ORS

..... Respondent

Represented by: Mr. Sanjay Lao, ASC with ASI
Hawa Singh, PS Nihal Vihar.
R-5&6 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
12.12.2017

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Petitioners who are present in Court state that they are major and have married of their own free will contrary to the wishes of respondent No.5 and 6 who are the brother and mother of petitioner No.1 respectively. They seek protection because they apprehend danger from respondent No.5 and 6.

When the petition came up for hearing on 12th January, 2017 this Court noted that FIR No.776/2016 under Section 363 IPC was registered on the complaint of respondent No.5/ Manoj the brother of petitioner No.1 and date of birth of the petitioner No.1 recorded in the MCA Primary School, Omkar Nagar, Delhi was 8th September, 2011. The petitioner No.1 also showed the Adhaar Card got prepared when she was living in her

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parental home by the respondent No.5 and her late father wherein her date of birth was mentioned as 7th September, 1996 which indicated that she was a major.

Due to the conflict in the date of birth in the two documents this Court directed that the medical examination of the petitioner No.1 be got conducted by a Board constituted by the AIIMS. A report has been received from the AIIMS according to which the estimated age of the petitioner No.1 was between 20 years to 22 years. Considering the estimated bone age, this Court without commenting on the final adjudication as to the age of the petitioner No.1 deems it fit to grant protection to the petitioners.

Respondent No.5 and 6 who are present in Court and are identified by the investigating officer state that since the petitioners have married of their own free will they will not interfere in their happy married life.

Consequently, the petition and application are disposed of directing that the petitioners would be given protection by the concerned SHO through beat staff and in case of any specific complaint action thereon be taken in accordance with law and respondent No.5 and 6 will not interfere in the happy married life of the petitioners.

MUKTA GUPTA, J.

DECEMBER 12, 2017
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