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

+ W.P.(CRL) 368/2018

MS JYOTI

... Petitioner

Represented by: Mr.B.S.Chaudhary, Advocate

versus

STATE (NCT OF DELHI) & ORS

... Respondents

Represented by: Mr.R.S.Kundu, ASC for the
State with Ms.Suman Saharan
with SI Baljit Singh, PS Mian
Wali Nagar

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

08.05.2018

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1. By this petition the petitioner seeks a writ of mandamus to the respondents No.1 to 4 to restrain the respondent No.5 from harassing, chasing, torturing and humiliating the petitioner and also seeks protection from respondent No.5.

2. Case of the petitioner is that she was compelled to marry the respondent No.5 on 8th December, 2017. As per the petitioner, even prior to the marriage, the petitioner used to harass, humiliate and torture her. It is the case of the petitioner that under threat and being bitterly frightened that if she would not accompany the respondent No.5, she, her parents and her sister would face dire consequences, petitioner accompanied respondent No.5 and was forced to sit in the temple with him and participate in Saptadi. The petitioner claims that all her original documents i.e. 10th class W.P.(CRL) 368/2018

certificate, Aadhar Card and photographs have been kept and misused by respondent No.5, which are in his possession from 8th December, 2017 and that he is continuously threatening the petitioner and her family members from his mobile phone. Petitioner further claims that she never joined the company of respondent No.5 due to misbehaviour, threat and torture by him and when on 22nd December, 2017 the family members of respondent No.5 entered her house and tried to drag the petitioner from her parental home and misbehaved with the family of the petitioner, she was compelled to make a PCR call and later submitted a written complaint in the PS Mianwali Nagar.

3. Though service could not be effected on respondent No.5, however, respondent No.5 is present in Court and is identified by the Investigating Officer. He admits that the Aadhar Card and 10th class certificate of the petitioner are in his possession which he would hand over to the petitioner today itself. Respondent No.5 further undertakes not to interfere in the life of the petitioner or her family members and also not to harass, humiliate or threaten either the petitioner or any of the family members.

4. In view of the statement of respondent No.5, learned counsel for the petitioner, on instructions from the petitioner, seeks leave to withdraw the petition. Leave granted. However, this undertaking of respondent No.5 would not hinder him in his taking any legal remedy in accordance with law.

5. Petition is disposed of as withdrawn.

MAY 08, 2018

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MUKTA GUPTA, J.

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