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

+ **W.P.(CRL) 3583/2018**

SMT. MEHAR KAUR & ANR.

..... Petitioners

Represented by: Mr. Deepak Kumar, Advocate.

versus

STATE & ORS.

..... Respondent

Represented by: Mr. Piyush Singhal, Advocate for Mr. Ashish Aggarwal, ASC for the State with ASI Hansraj, PS Tilak Nagar. Mr. Somak Mukhopadhyay and Mr. S.C. Sharma, Advocate for R-4.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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06.12.2018

Crl.M.A. Nos. 47971-47972/2018 (Exemption)

Allowed, subject to all just exceptions.

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1. By this petition, the petitioners pray as under:-

i) *Issue appropriate writ, order and/or direction thereby directing the respondent No. 3 not to arrest, harass and torture the petitioners in FIR No. 481/18 U/s 363 IPC of P.S. Tilak Nagar, which has been registered based upon the false and frivolous complaint of respondent No. 4.*

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- ii) *Quash the FIR No. 481/18 U/S 363 IPC of P.S. Tilak Nagar and the consequent proceedings arising therefrom, if any.*
- iii) *Direct the respondent No. 4 not to interfere into the peaceful marital life of the petitioners in any manner whatsoever.*
- iv) *Direct the respondent Nos. 1 to 3 to provide adequate protection in order to ensure the safety and well being of the petitioners and also the safety of family members of petitioner No. 2 so as to ensure that no harm is caused to them at the hands of respondent No. 4 or her associates.*

2. Learned proxy counsel for learned ASC for the State accepts notice. He has brought to the notice of this Court that the petitioner No. 1 is a minor and her date of birth as per school last attended is 29th March, 2002, thus at the time when the petitioner left her parental home and married the petitioner No. 2, she was a minor.

3. Consequently FIR No. 481/2018 under Section 363 IPC registered at PS Tilak Nagar cannot be quashed at this stage as the statement of the petitioner No.1 is yet to be recorded.

4. As regards the safety and security of the petitioners is concerned, learned proxy counsel for learned ASC for the State informs that non-bailable warrants have already been issued against the petitioner No. 2.

5. Considering the age of the petitioner No. 1, this Court finds that no relief can be granted to the petitioners in the present petition.
6. Petition is dismissed.

MUKTA GUPTA, J.

DECEMBER 06, 2018
‘yo’