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

+ **W.P.(CRL) 3/2019**

JYOTI BALIYAN & ANR

..... Petitioners

Through Mr.Hitesh Bhardwa, Adv. with
petitioners in person.

versus

THE STATE (GNCT) DELHI & ORS

..... Respondents

Through Ms.Kamna Vohra, ASC for State with
SI Ashwani, P.S. Jyoti Nagar.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% **04.01.2019**

CRL.M.A. 5/2019 (Exemption)

Exemption allowed, subject to all just exceptions.

Application is disposed of.

W.P.(CRL) 3/2019 & Crl.M.A. 4/2019

1. Issue notice.

2. Ms. Kamna Vohra, Additional Standing Counsel (Crl.) for the State,
accepts notice.

3. The Petitioners in the present petition have approached this Court on
account of alleged threats received from Respondent No. 5 & 6. Both the
Petitioners are adults and claim to have married each other on their own
freewill. They apprehended threat to their life and liberty from Respondent

No. 5 & 6.

4. In the petition it is averred that the Petitioners have solemnised their marriage in Arya Samaj Mandir, Vishwas Nagar, Delhi and have also got their marriage registered before the Marriage Registration Officer. Apprehending danger from Respondent No. 5 & 6 and other family members, the present petition has been filed seeking order of protection. Petitioners state that they have intimated in writing about their marriage to respondents No.2 to 4.

5. In view of the facts stated herein above, it is deemed necessary that appropriate directions be issued to the police to assure that the Petitioners are given due protection. It has been time and again reiterated by this Court as well as by the Supreme Court that all persons are entitled to live in terms of their constitutional freedom recognized by the law of this country and therefore the Petitioners marriage is a decision, for which the Petitioners cannot be held at fault for any reason whatsoever. Petitioners are residing within the jurisdiction of police station Jyoti Nagar. It is thus deemed appropriate that SHO, PS Jyoti Nagar be directed to provide necessary and due protection to the Petitioners. SHO, PS Jyoti Nagara shall provide his contact details and also contact details of one Lady Police Officer to the Petitioners. These numbers shall be kept operational at all times so that in the event of any exigency, they can be contacted and intimated on the said numbers. It has been further assured to this Court that in case any message is received on the aforesaid numbers, an adequate and immediate response shall be given. The beat constables shall also regularly visit the residence of

the Petitioners on daily basis and record the same in the *Roznamcha*. The aforesaid arrangement shall be initially for a period of one month and thereafter the safety and security of the Petitioners shall be assessed by the SHO, PS Jyoti Nagar on weekly basis. Should the Petitioners change their address to the jurisdiction of any other police station in the NCT of Delhi, the SHO of the subsequent police station shall be intimated about the change in address and the orders passed by this Court so that due protection is granted to them in terms of this order.

6. The petition is disposed of.

7. Copy of this order be sent to the SHO, PS Jyot Nagar for compliance.

8. Order *dasti* under the signatures of Court Master.

**SANJEEV NARULA
(VACATION JUDGE)**

JANUARY 04, 2019

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