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

+ W.P.(CRL) 566/2019, CrI. M.A. 3942/2019

RUKSAR MALIK @ ZOYA KHANAM & ANR Petitioners
Through: Mr. Maninder Singh, Adv. with Ms.
Aekta Vats, Mr. Sankalp Kohli, Mr. Anuj Singh,
Mr. Sarthak Garg, Adv.

Versus

GOVT. OF NCT OF DELHI & ORS Respondents
Through: Mr. Sanjay Lao, ASC for State with Ms.
Nandita Rao, ASC for State with SI Jhabbu Ram,
P.S. Hari Nagar.
Inspector Lallan, ASI Jatan, P.S. Krishna Nagar
WHC Jyoti and HC Anand, P.S. Hari Nagar.
Ms. Anu Narula, Adv. for R-3.

CORAM:
HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER
% **22.02.2019**

The petitioner no. 1 has been produced from the Nari Niketan. Her father/R-3 is present in the Court, and has been identified by the Investigating Officer. He does not have a counsel. He seeks appointment of one. Accordingly, at request, Ms. Anu Narula, Advocate, present in the Court, is appointed as his counsel for the day. She states upon instructions that respondent no.3 has reconciled to the marriage of the petitioners, and states that since he himself would be concerned about the safety and security of his daughter,

there could be no threat to her from him. However, since the marriage was done without intimation to them, her extended family, including her siblings, are peeved. The girl's mother/ respondent no.4 is not present in the court today. She is reported to have moved away from her house last evening with her six year old son, perhaps, she too apprehends some element of threat from her sons.

Petitioner no.1 has been asked whether she would like to go to her father or with her husband to her matrimonial home at District Rampur, U.P., upon which she answers in affirmative for the latter option. The father of petitioner no.2 Mr. Shareef Ahmed is present in the Court, and has been identified by the Investigating Officer. He states that he accepts and welcomes the marriage of the petitioners and would escort the young couple with absolute dignity and indeed with much fanfare to his home and would accord them due paternal care and affection. He is represented by the learned Amicus Curiae. After interaction with Mr. Shareef Ahmed, the learned Amicus Curiae submits that indeed the said father-in-law of petitioner no.1 says that he shall accommodate the young couple in his home at Azim Nagar, Distt. Rampur, U.P, and shall treat petitioner no.1 like his own daughter and would expect that the same affection and care shall be showered upon her by his entire family.

In the aforesaid circumstances, the petitioners shall be provided protection by the Delhi Police upto the matrimonial home of petitioner no.1 i.e. the residence of Mr. Shareef Ahmed at Azim Nagar, Rampur District, U.P. – 244927. A copy of this order shall be served upon the Station House Officer/ Officer Incharge of the Police

Station/ Chowki having jurisdiction over the residence of Mr. Shareef Ahmed. A copy of this order be also served upon the Senior Superintendent of Police, Distt. Rampur, U.P. by Delhi Police.

Three police officials, one of whom shall be a lady, from Police Station Krishna Nagar, New Delhi, shall accompany the petitioners to the residence of Mr. Shareef Ahmed at Azim Nagar, Distt. Rampur, U.P. Telephone number of three police officials shall be provided by the Delhi Police to the petitioners.

At this stage, Ms. Anu Narula, the learned counsel for Mohd. Hashim, father of petitioner no.1, submits that his address is House No. 486, Gali No. 1, Jammate Masjid, Kanchan Park, Zila Ghaziabad, Loni. He states that he has a shop/ space of work, at Kotla Mubarakpur, Delhi, so do his sons. In the circumstances, the SHO, PS Krishna Nagar, Delhi as well as SHO PS Kotla Mubarakpur, Delhi are directed to interact with the family of petitioner no.1, particularly her siblings, and her extended family, and impress upon them to maintain peace and to reconcile to the fact that nobody can be an impediment in the exercise of the immutable constitutional right of a citizen to choose a life partner and to live with such life partner in accordance with law.

Custody of petitioner no.1 has been taken over by the police officials of PS Krishna Nagar from the police officials of PS Hari Nagar. This Court records its appreciation for the assistance rendered by Ms. Nandita Rao, ASC, Mr. Sanjay Lao, ASC, Ms. Kamna Vohra, ASC, Mr. Maninder Singh, Amicus Curiae, and Ms. Anu Narula, Advocate.

The petition is disposed off in the above terms.

A copy of this order be given *dasti* to the parties under the signatures of the Court Master.

NAJMI WAZIRI, J.

FEBRUARY 22, 2019

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