

\$~13

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

+ W.P.(CRL) 3974/2018

SMT. AFSANA & ANR. Petitioners

Through: Mr. Hans Raj Singh and Mr. Sachin
Mavi, Advocates.

versus

STATE & ANR. Respondents

Through: Ms. Kamna Vohra, ASC.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% **02.01.2019**

1. Pursuant to the order dated 31st December 2018, Petitioners are present in the Court. Learned ASC for the State is also present.

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

3. The Petitioners in the present petition have approached this Court on account of alleged threats received from Respondent No. 5 to 7. 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 to 7.

4. In the petition it is averred that Petitioner No. 1 has converted her religion before marriage and the Petitioners have solemnised their marriage in Arya

Samaj Mandir, 71-72, IInd Floor, Gokhle Market, Delhi-54 and have also got their marriage registered before the Marriage Registration Officer. Apprehending danger from Respondent No. 5 to 7 and other family members, the present petition has been filed seeking order of protection. Petitioners state that they have intimated about their marriage to Commissioner of Police, PS-Timarpur, Delhi, DCP, Civil Lines and Respondent No. 5 i.e. the mother of Petitioner No. 1 vide letter dated 26th December 2018.

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, Timarpur. It is thus deemed appropriate that SHO, PS Timarpur be directed to provide necessary and due protection to the Petitioners. SHO, PS Timarpur 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, Timarpur 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. In the meantime, the Respondents are directed to file a status report before the next date of hearing.

7. List the matter before the Roster Bench on 11th January 2019.

8. Copy of this order be sent to the SHO, PS Timarpur for compliance.

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

SANJEEV NARULA, J
(VACATION JUDGE)

JANUARY 02, 2019/nk