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

+ **W. P.(CRL.) 918/2020**

NAFEES KHAN

..... Petitioner

Through: Mr Rajiv Mohan, Advocate.

versus

STATE & ANR.

..... Respondents

Through: Mr Avi Singh, ASC for State with Ms
Purnima Malik, Advocate.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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12.06.2020

[Hearing held through video conferencing]

CRL.M.A.7604/2020 & CRL.M.A.7605/2020

1. For the reasons stated in the application, the same is allowed.
2. The application is disposed of.

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3. The petitioner has filed the present petition, *inter alia*, making several prayers. However, the learned counsel appearing for the petitioner submits that he is not pressing any of the prayers mentioned in the petition. He submits that the limited prayer of the petitioner is that directions be issued to the concerned SHO to prevent any untoward incident and to take steps to ensure that divisive forces are not fulfilled.
4. It is the petitioner's case that he was married to respondent no.2

according to Muslim rituals after respondent no.2 had voluntarily converted to Islam. He has also filed a copy of an affidavit sworn by respondent no.2, whereby she affirmed that after solemnization of her *nikah* with the petitioner she would live with him as his faithful and devoted Muslim wife.

5. Apparently, matrimonial disputes have arisen between the petitioner and respondent no.2. Respondent no.2 now alleges that she married the petitioner with the understanding that she would continue to practise her religion (Hinduism). She alleges that after marriage the petitioner forced her to practise Muslim rituals, which is not acceptable to her.

6. The petitioner disputes the above. He states that after the petitioner was married to respondent no.2, he became aware that respondent no.2 was already married and had concealed this fact from him. He states that respondent no.2 is now levelling false allegations against him as he had confronted her about her prior marriage. He submits that respondent no. 2 is now seeking to give a communal colour to their dispute in order to intimidate the petitioner. She has now circulated messages on the social media levelling false allegations against the petitioner, which has communal overtones. He submits that the main motive of respondent no.2 to do so is only to create nuisance for the petitioner who belong to the minority community. He submits that he had already complained to the SHO in this regard since he apprehends that the messages circulated by respondent no.2 have put him to considerable risk.

7. Mr Avi Singh, learned ASC appearing for the State submits that the police authorities are considering the petitioner's case with all seriousness and if warranted, it would not refrain from taking such steps as necessary in

accordance with law, including any preventive action to ensure that law and order is maintained.

8. In view of the above statement, no further orders are required to be passed in this petition. The same is, accordingly, disposed of.

9. It is clarified that all remedies available to the petitioner are reserved and nothing stated in this order would preclude the petitioner from proceeding against the respondent in accordance with law.

VIBHU BAKHRU, J

JUNE 12, 2020
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