

via Video-conferencing

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

+ W.P. (CRL.) 932/2020

HIMANSHI & ANR.

.....Petitioners

Through : Mr. Chinmaya Kumar Bhatt,
Advocate.
Smt. Himanshi/ Petitioner No.
1 in-person.
Mr. Rohit Patoona/ Petitioner
No. 2 in-person.

versus

STATE OF NCT OF DELHI & ORS.

..... Respondents

Through : Mr. Avinder Singh, ASC
(Criminal) for GNCTD/R1 to
R3.
Mr. Amar Pal Giri/Respondent
No. 4 in-person.
Mr. Sandeep Giri/Respondent
No. 6 in-person.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

% **22.07.2020**

The petitioners have joined the video-conference hearing along with their counsel Mr. Chinmaya Bhatt.

2. Mr. Avinder Singh, learned Additional Standing Counsel is present on behalf of respondents Nos. 1, 2 and 3.

3. Status report dated 20.07.2020 has been filed.

4. Pursuant to the last order, respondents Nos. 4, 5 and 6, who are petitioner No. 1's father, mother and brother respectively, have been served.
5. Respondent No. 4/Mr. Amar Pal Giri along with respondent No. 6/Mr. Sandeep Giri have joined the video-conference hearing today. Respondent No. 5 is stated to be unavailable but respondent No. 6 states that he represents his mother as well.
6. Status report dated 20.07.2020 records that the Beat Officer of the area has been in regular touch with the petitioners and has furnished to them his mobile number as well as the number of the police station. The petitioners are stated to be safe and living together happily. It is further recorded, that on inquiry, both petitioners have confirmed that no one from amongst respondents Nos. 4 to 6 have either contacted or threatened them. It is further recorded that no FIR, or missing person's report has been lodged in respect of petitioner No. 1 at PS : R.K. Puram or elsewhere.
7. The marriage certificate in respect of the petitioners issued by the Akhil Bharat Hindu Mahasabha Mandir, Mandir Marg, New Delhi has been verified. The age of petitioner No. 1 has also been verified from the concerned school and as per school records, her date of birth is 29.10.1998; and therefore it is confirmed that petitioner No. 1 is major.
8. The court has interacted with the petitioners who have confirmed the contents of the status report. They have also confirmed that petitioner No. 1 was allowed access to her belongings at her maternal home in the presence of the police.

9. Respondents No. 4/father states that the immediate family has no objection to the petitioners' marriage. Mr. Amar Pal Giri states that once his daughter has taken the decision to marry petitioner No. 2, he only wishes them the best for their future life and assures the court that he would not interfere in the peaceful marital life of his daughter. He states that he lost his elder daughter not long ago; and that his concern was that by reason of his other daughter/petitioner No. 1 having married without their consent, members of the extended family would have strong views in that regard. He states however, that respondents Nos. 4 to 6 now accept the petitioners' marriage and do not wish to file any response or to oppose the present petition.

10. In the circumstances, Mr. Chinmaya Bhatt, learned counsel appearing for the petitioners submits that nothing survives in the present petition, which may be disposed of.

11. In the circumstances, while disposing of the present petition, in order to attempt a complete resolution of a close-family conflict, parties are advised to attempt a mediated settlement to resolve the remaining relationship issues and rancour.

12. Accordingly, with the consent of parties, and in order to attempt mediation under the aegis of the Delhi High Court Mediation & Conciliation Centre, parties are directed to contact the Organizing Secretary of the Mediation Centre within a week, with a request to the Secretary to appoint an appropriate Mediator in the matter ; and to fix a date of earliest convenience for mediation.

13. The present petition is disposed of as infructuous.

14. Pending applications, if any, also stand disposed of.

15. A copy of the order be sent to the Organizing Secretary of the Delhi High Court Mediation & Conciliation Centre.
16. Report of the mediation proceedings be placed on record, whenever available.

ANUP JAIRAM BHAMBHANI, J.

JULY 22, 2020

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