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IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P. (CRL.)1152/2020

RANJEET KUMAR

..... Petitioner

Through: Mr. Pankaj Sinha, Advocate with Ms.
Kriti Kumari, Advocate with
petitioner in-person.

Versus

COMMISSIONER OF POLICE & ORS.

.... Respondents

Through: Ms. Kamna Vohra, ASC for the State.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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29.07.2020

Crl. M.A. Nos.10130-31/2020 (exemption)

Exemptions are granted, subject to just exceptions and subject to the petitioner completing all requirements of filing certified/typed/clear copies of annexures, attested affidavits and court fee within 10 days of physical re-opening of the court.

Applications stand disposed of.

W.P.(Crl.) 1152/2020

The petitioner is stated to have married Ms. Sandhya, daughter of Sh. Brahmpal, in accordance with Hindu rites and ceremonies at the Arya Samaj Sanskar Mandir Trust, Ghaziabad, U.P. on 06.06.2018. The parties have also got their marriage registered in Ghaziabad *vidé* certificate dated 06.06.2018.

2. Mr. Pankaj Sinha and Ms. Kriti Kumari, learned counsel for the petitioner submit that since the marriage was an inter-caste marriage, conducted without the consent of the wife's parents and relatives, the latter have been extending threats and harassing the petitioner. It is further submitted that under false pretext, the wife was taken away by her family from the company of the petitioner on 17.06.2020; and since then she has been illegally confined at her maternal home against her wishes; and the petitioner has not been permitted to even meet his wife. The petitioner has made a complaint dated 25.07.2020 to the Commissioner of Police, New Delhi, but to avail.

3. The petition is accompanied by photocopies of the Aadhaar cards of the petitioner and the wife, whereby the date of birth of the petitioner is shown as 05.05.1986, and that of the wife, as 09.05.1991. Accordingly, both parties were major as of 06.06.2018 i.e. the date of marriage. Copies of the marriage certificate from Arya Samaj Sanskar Mandir Trust, Ghaziabad, U.P. as also the certificate of registration of the marriage have also been enclosed.

4. Ms. Kamna Vohra, learned Additional Standing Counsel (ASC) has appeared on advance copy for the respondents, namely the Commissioner of Delhi Police, Government of NCT of Delhi and SHO, PS: Najafgarh, New Delhi. Ms. Kamna Vohra has forwarded status report dated 29.07.2020 by e-mail. She has also forwarded by e-mail a statement of the wife as recorded by the police. Ms. Vohra states that the status report and the statement bear-out the contents of the petition.

5. The SHO, PS: Najafgarh has produced Ms. Sandhya through video-conferencing. It is stated that Ms. Sandhya was taken by the

local police to Nari Niketan last night; and she has now joined the video-conference hearing from the police station.

6. Petitioner Ranjeet Kumar has also joined the video-conference hearing.

7. This court has interacted with Ms. Sandhya as well as the petitioner Ranjeet Kumar. Ms. Sandhya confirms that she has married the petitioner of her own free will; and that she is desirous of living with him as his wife. The petitioner has also confirmed the marriage and states that he wants his wife to reside with him. The petitioner however submits that he is hesitant to disclose his present residential address for fear of threats from his wife's relatives. He however states that he resides within the jurisdiction of PS : Sagar Pur.

8. In the circumstances, this court is satisfied that there is no reason why the petitioner and his wife should not be permitted to reside together as a married couple, with or without the consent of the wife's parents. For the record, the petitioner's parents are stated to be residing in Lucknow, U.P.

9. Accordingly, keeping in view the apprehension expressed by the petitioner, it is directed that the SHO, PS: Najafgarh shall escort Ms. Sandhya to PS: Sagar Pur, New Delhi today itself; and shall thereafter allow Ms. Sandhya to accompany the petitioner Ranjeet Kumar.

10. By way of abundant precaution, the SHO, PS: Sagar Pur is directed to give to the petitioner his personal cellphone number as also cellphone number of the Beat Constable of the concerned area, who the petitioner may call in the event of any emergency and who would ensure the safety of the petitioner and his wife from any physical

threat or harm at the instance of the wife's relatives in the context of what is stated in the petition.

11. The petition is disposed of in the above terms.
12. Pending applications, if any, also stand disposed of.

ANUP JAIRAM BHAMBHANI, J.

JULY 29, 2020

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