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

Date of decision: 25.05.2021

+ **W.P. (CRL) 515/2021**

MS SHIVANI & ANR. Petitioners
Through Md.Hasibuddin, Adv. with Md.Asif,
Mr.Sourav Ghosh, Advs. with
petitioners in person through VC.

versus

THE STATE (GOVT. OF NCT OF DELHI) &
ORS. Respondent
Through Mr.R.S. Kundu, ASC (Crl.).
SI Ramratan Laur, PS Pratapur Distt.
Meerut.

CORAM:
HON'BLE MR. JUSTICE SURESH KUMAR KAIT

J U D G M E N T (O R A L)

1. Present petition has been filed under Article 226 of the Constitution of India read with section 482 Cr.P.C. seeking directions thereby directing respondent no.2 to provide protection to the petitioners from the hands of respondent nos.5 & 6 and their associates.

2. SI Ramratan Laur, IO appeared on behalf of respondent no.4 states that FIR No.58/2021 has been registered against petitioner no.2 before Police Station Pratapur, Meerut, UP for the offence punishable under section

366 IPC for kidnapping/abduction of petitioner no.1 on the complaint of respondent no.5, father of petitioner no.1.

3. Petitioners are present today before this Court through video conferencing. As per the documents placed on record, the date of birth of petitioner no.1 is 17.03.1999 and she is graduate in Commerce and date of birth of petitioner no.2 is 28.01.2000 and studied upto 12th class.

4. Thus, both the petitioners are major and have right to live as per their wish.

5. Petitioner no.1 states that she has not been abducted, induced or influenced by petitioner no.2. She is in love with the said petitioner and they want to marry, however, respondent no.5, her father and respondent no.6, her uncle, have not agreed for their marriage, therefore, respondent no.5 got registered present false FIR against her boyfriend i.e. petitioner no.2 herein.

6. Since petitioner no.1 stated before this court which has been heard by IO of the aforesaid FIR who is also present through video conferencing, therefore, based upon the statement made by petitioner no.1 which can be considered as her statement recorded under section 161 Cr.P.C., this Court directs the said IO to get the aforesaid FIR cancelled before the concerned

court. Steps to this effect shall be taken within one week from today and no coercive steps shall be taken against the petitioner no.2.

7. Respondent no.4 shall also apprise respondent nos.5 & 6, their family members and associates that petitioners are major and they cannot create any hindrance in their life till they stay together on their own wish and consent.

8. This Court further directs respondent no.2/SHO Sarita Vihar to provide security to the petitioners till they reside in Delhi to avoid any untoward incident.

9. I hereby make it clear that family members and associates of petitioner no.2 shall also not create any hindrances in their life.

10. In view of above, petition is disposed of.

11. Copy of this order be transmitted to the SSP, Meerut, UP, respondent no.4/SHO PS Pratapur, Meerut, UP and respondent no.2/SHO PS Sarita Vihar for information and necessary compliance.

(SURESH KUMAR KAIT)
JUDGE

MAY 25, 2021/ab