

S/L 10
17.6.2022
Court. No. 19
sn

WPA 9855 of 2022

Jyoti Khatoon @ Jyoti Shaw
Vs.
The State of West Bengal & Ors.

Ms. Kakali Pal ... *for the petitioner*

Ms. Chama Mukherjee
Mr. Gourav Das ..*for the State*

Let the affidavit of service be taken on record.

The petitioner is the daughter of the respondent nos. 4&5. The petitioner married one Shahil Mahammad. Such marriage was registered by the Muslim Marriage Registrar. Certificate of Muslim Marriage has been annexed to the writ petition. The petitioner is aged about 20 years.

The allegation is that the respondent nos. 4&5 have been continuously threatening the petitioner and is preventing the petitioner from leading a happily married life. Intimidated by the continuous threats of the parents, the petitioner approached the police authorities.

A report has been filed by the police authorities, from which it appears that the parents of the petitioner as also her husband lodged a missing diary with the Titagarh Police Station. The police authorities made an enquiry and interrogated the family members of the petitioner and her husband. The couple has started

living separately. The parents of Shahil Mahammad did not allow the couple to enter the family home.

The petitioner is afraid that the respondent nos. 4&5 might cause harm to her and her husband. The police authorities tried to talk to the parties so the dispute could be solved.

As the parties are adults and the report of the police authorities indicates that this is a simple case of marriage outside the religion and against the wishes of the parents, this Court is of the view that the couple should be at liberty to enjoy matrimonial life without further harassment from the parents.

Under such circumstances, the police authorities are directed to ensure that the petitioner and her husband are not harassed by the parents.

The police report is taken on record.

Accordingly, this writ petition is disposed of.

However, there will be no order as to costs.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)