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

+ **W.P.(CRL) 196/2024**

SMT. LATA DEVI & ANR.

..... Petitioners

Through: **Mr. Manoj Kumar Sharma, Advocate**

versus

STATE OF NCT OF DELHI & ORS.

..... Respondents

Through: **Mr. Sanjeev Bhandari, ASC for State
with SI Vivek, P.S. Mayur Vihar.**

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

19.01.2024

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1. This writ petition has been filed under Article 226 of the Constitution of India read with Section 482 Cr.P.C. on behalf of the Petitioners for an appropriate direction to Respondent No.2/SHO, PS: Mayur Vihar-I, to protect the Petitioners from Respondents No.3 to 6, who are stated to be family members of Petitioner No.1.

2. It is stated in the petition that both Petitioners are major and are 24 years of age. Copies of the Aadhar Cards have been annexed with the petition, as age proof. Petitioner No.1 is Hindu by religion while Petitioner No.2 is Muslim. They have known each other since a long time and decided to get married. It is stated that since the family members of Petitioner No.1 are conservative, they were not agreeable to inter-religion marriage between the Petitioners and had made it clear that they would never permit Petitioner No. 1 to enter into this matrimonial relationship. Having no option, Petitioners No.1 and 2 decided to get married without their consent. On



24.10.2023, Petitioners applied before the Marriage Officer as per the requisite format indicating their intention to solemnize the marriage under the Special Marriage Act, 1954 (hereinafter referred to as the '1954 Act') and were asked to appear on 25.10.2023 with the required original documents and three witnesses. After completing all necessary formalities on 25.10.2023, notice was affixed on the board of the Marriage Officer, East District, Delhi for compliance of the necessary conditions under the said Act and the next date was notified by the Marriage Officer as 29.11.2023. On the said date, marriage was solemnized between the Petitioners after the Marriage Officer verified all the original documents and in the presence of three witnesses, a marriage certificate was issued under Section 13 of the 1954 Act.

3. It is further stated that soon after the marriage was solemnized, Petitioner No. 1 informed Respondent No. 3 that she had married Petitioner No. 2, however, threats were extended to her and she was categorically told that the marriage would never be accepted by her family. Thereafter, on 30.11.2023, Respondents No. 3 to 6 herein visited the house of Petitioner No. 2 and forcibly tried to take Petitioner No. 1 away but due to the intervention of the neighbours, they were unsuccessful. Petitioners thereafter left Delhi on 01.12.2023 and came back on 13.01.2024, the day of *Lohri*. On the said date, Respondents No. 3 to 6 came into the house of Petitioner No. 2 and threatened to kill both the Petitioners stating that they would not accept the marriage as the inter-religion marriage has brought disrepute to the family of Petitioner No. 1. Fearing that their life is in danger, Petitioners have filed the present petition seeking protection.

4. Issue notice.



5. Learned ASC accepts notice on behalf of the State.
6. Learned ASC, on instructions, from the Investigating Officer SI Vivek, P.S. Mayur Vihar, who is present in Court, submits that the mobile numbers of the Beat Constable and the SHO of the concerned area shall be furnished to the Petitioners during the course of the day. The Beat Constable shall visit the house of the Petitioners once in two days atleast for the next two months to ensure the well being of the Petitioners. Learned ASC further states that in case of any assistance, Petitioners will be free to contact the Beat Constable or the SHO concerned and assures that on receipt of any such call, in case of any eventuality, all possible help, assistance and protection shall be provided promptly and diligently.
7. Petition is accordingly disposed of directing the IO to ensure that the mobile numbers of the Beat Constable and the concerned SHO are furnished during the course of the day to the Petitioners and also directing that the Beat Constable shall visit the residence of the Petitioners, the address of which shall be provided today itself to the IO, once in two days in the coming two months and on receipt of any call for help, all possible assistance shall be rendered.

JYOTI SINGH, J

JANUARY 19, 2024/kks/shivam