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

+ **W.P.(CRL) 1429/2024 & CRL.M.A. 13928/2024**

SMT. MAHAK & ANR. Petitioners

Through: Mr. Mohd. Asif, Adv.
along with the petitioners
(through VC)

versus

THE STATE GOVT. OF NCT OF DELHI
& ORS.

..... Respondent

Through: Mr. Sanjeev Bhandari,
ASC for the State with Ms.
Anvita Bhandari, Mr.
Kunal Mittal, Ms. Charu
Sharma, Mr. Arjit Sharma
and Mr. Vaibhav Vats,
Advs. with SI Ved
Prakash, PS Kalindi Kunj.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

07.05.2024

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1. The present petition is filed under Article 226 and 227 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 (**CrPC**), seeking issuance of writ/ direction in the nature of mandamus directing the State to provide protection to the petitioners, who got married against the wishes of their parents.
2. The petitioners are stated to be aged 19 years and 21 years respectively.
3. The learned counsel for the petitioners submits that the petitioners got married on 27.04.2024 and they are co-habiting together happily since then.
4. He submits that the petitioners have been receiving threats



and harassment, following their marriage against the wishes of their families. It is stated that they apprehend threat to their life and liberty.

5. The learned Additional Standing Counsel (ASC) for the State, who appears on advance service, very fairly submits that the contact number of the concerned Beat Officer would be shared with the petitioners and the petitioners are at liberty to contact the Beat Officer or the concerned SHO any time when they feel any threat to their life and liberty. He submits that as and when, any such complaint is received, appropriate action will be taken by the State.

6. It is trite law that right to marry an individual of one's choice is an inalienable facet of the right guaranteed under Article 21 of the Constitution of India. The Hon'ble Supreme Court has consistently upheld the right to marry of one's choice as an integral part of the right to life and personal liberty.

7. Considering the submissions made by the learned ASC for the State, no orders are required to be passed at this stage.

8. Needless to state that the petitioners are at liberty to approach the Court in case any grievance remains.

9. The petitioners are directed to inform the concerned SHO in case they leave the territory of NCT of Delhi or change their address.

10. The present petition is allowed in the aforesaid terms. Pending application(s) also stand disposed of.

AMIT MAHAJAN, J

MAY 7, 2024

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