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

+ **W.P.(CRL) 3639/2024 & CRL.M.A. 34883/2024**

SUNDER SINGH RAWAT & ANR.

.....Petitioners

Through: **Mr. Kamlesh Kumar Mishra and Ms.
Renu, Advocates**

versus

COMMISSIONER OF POLICE & ORS.

.....Respondents

Through: **Mr. Anand V Khatri ASC for the
State with Insp. Sumit Malik and SI
Shiv Singh**

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER

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21.11.2024

1. The present petition has been preferred by the petitioners under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (earlier Section 482 of the Code of Criminal Procedure, 1973) for the following reliefs:

“I. For an order directing the respondents to grant Protection to the petitioners herein and further to ensure that they are not harassed by them in any manner.

II. Pass an order directing the respondents to place before this Hon'ble court cases if any FIR registered against the petitioners herein and ensure that no coercive steps are taken against the petitioners in the said cases/complaints/FIR's.

III. Pass any such directions or order that this Hon'ble court deems fit and proper in the facts and circumstances of the above-mentioned case.”

2. The brief facts of the case are that the marriage of petitioner No. 1 and petitioner No. 2 are was solemnized out of their own free will and



consent. However, the parents of petitioner No. 2 are alleged to oppose the said marriage and are thereby causing difficulties to them. The petitioner no. 1, therefore, made a representation to the Commissioner of Police and the SHO, Police Station – Lodhi Road, to undertake measures ensuring the safety and security of the petitioners. However, the petitioners did not receive any response to the said representation. Hence, the present petition has been filed seeking protection from harassment which maybe caused to them by the respondents.

3. Petitioners are present in the Court. The petitioner No. 2 submitted that she got married to the petitioner No. 1 on 18th November, 2024 at Arya Samaj Mandir at her own free will and consent. However, her parents are not happy with the marriage and there are threats from them. Petitioners are praying that the concerned police station be directed to provide them protection whenever required.

4. Issue notice. Learned APP for the State appearing on advance notice accepts notice.

5. Heard the learned counsel for the petitioners and the learned APP for the State.

6. The right of the petitioners to marry a person of their own choice is protected under the Constitution. Therefore, the State is under an obligation under the Constitution to provide protection to its citizens.

7. It is a matter of fact that the petitioners are adults. Since the present case is regarding the safety of a married couple, whose marriage was solemnized with their consent, the Investigating Officer present in the Court is directed to give his as well as the Beat Constable's contact numbers to the petitioners to enable the petitioners to approach them if any emergency



arises. The petitioners are also at liberty to approach the concerned police station, if required.

8. With the directions as aforesaid, the present petition along with the pending application stands disposed of.

CHANDRA DHARI SINGH, J

NOVEMBER 21, 2024
rt/st

[Click here to check corrigendum, if any](#)