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

+ **W.P.(CRL) 345/2025**

HIMANSHI & ANR.

.....Petitioners

Through: Mr. Anurag Chauhan, Advocate with
Mr. Irfan Ahmad, Mr. B.P. Singh
Chauhan and Ms. Kanishka Negi,
Advocates along with P1 & P2 in
person.

versus

STATE NCT OF DELHI AND ORS

.....Respondents

Through: Mr. Rahul Tyagi, ASC (Crl) along
with Ms. Priya Rai, Mr. Sangeet
Sibou, Mr. Aniket Kumar Singh,
Advocates and SI Paramjeet, PS
Ranhola

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER

30.01.2025

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CRL.M.A. 2967/2025 (for exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

W.P.(CRL) 345/2025

1. The instant writ petition has been filed on behalf of the petitioners under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking the following reliefs:

“a) Issue Writ/order or direction in the nature of mandamus commanding the respondent no. 2 to 4 to provide police protection to the petitioners and the family members of petitioner no. 2 against any attack, assault or any act of



causing physical and mental injuries to the petitioners or on behalf of respondent no. 5, his family members, agents, etc.. in the interest of justice;

b) Issue direction to the respondent no. 5, his family members, agents, etc., to not disturb personal life and liberty of petitioners and family members of petitioner no. 2 in any manner, in the interest of justice, and/or;

c) 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 petitioner no. 1 and 2 herein are majors as per the legal mandate i.e., above the age of 18 years. On 23rd January, 2025, the petitioners herein solemnized their marriage out of their own free will and consent in accordance with the Hindu rites and ceremonies at Stri Arya Samaj Mandir, Kamal Ganj Farrukhabad, Uttar Pradesh.

3. Learned counsel for the petitioners submitted that the petitioner no. 1 had tried to persuade her parents for the approving her marriage with the petitioner no. 2, however, the parents of petitioner no. 1 threatened to kill the family members of petitioner no. 2 if the said marriage is solemnized between the petitioners.

4. It is submitted that the petitioners herein have been subjected to constant threat to their lives by respondent no. 5. Despite filing a written complaint at the SHO, Ranhola, DCP, Outer District, Pitampura and Delhi Police Headquarters, Connaught Place requesting police protection to the petitioners and family members of the petitioner no. 2, no action was taken by the police officials.

5. It is further submitted that the petitioners herein solemnized marriage



and the same is evident vide Marriage Certificate bearing no. SAKLJ/AOO3 dated 23rd January, 2025. The said certificate along with the marriage photographs are annexed as Annexure P-2 to the instant petition.

6. It is also submitted that the constant threat to lives of the petitioner and the family members of the petitioner no. 2 is a violation of Article 21 of the Constitution of India and therefore, it is prayed that the instant petition may be allowed and the reliefs herein may be granted.

7. Issue notice. Learned ASC for the State appearing on advance notice accepted notice.

8. Learned ASC for the State vehemently opposed the instant petition, however, submitted that the contact numbers of the Beat Constable will be provided to the petitioners herein in case of any emergency.

9. Heard the learned counsel for the parties and perused the record.

10. This Court has duly taken into consideration that the petitioners herein have reached a legally permissible age to marry and has married each other based on their own free will and consent. Moreover, the Constitution of India, under Article 21, protects the petitioners to marry any person of their own choice and therefore, the State is under an obligation to provide requisite protection to its citizens.

11. In light of the foregoing discussion as well as the submissions advanced by the learned ASC for the State, this Court directs the Investigating Officer present in this Court to provide his contact number along with that of the Beat Constable's to the petitioners to enable the petitioners to approach them if any emergency arises. Further, the petitioners are also at liberty to approach the concerned police station, if required.



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

CHANDRA DHARI SINGH, J

JANUARY 30, 2025

Rk/mk

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