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

+ **W.P.(CRL) 848/2025 & Crl.M.A. 7841/2025**

MS. MAISHER & ANR.Petitioners

Through: **Mr. Shuaib Malik, Advocate**

Versus

THE STATE NCT OF DELHI AND ORS.Respondents

Through: **Mr. Yasir Rauf Ansari, Additional
Standing Counsel (Crl.) for State
with SI Sukhchain**

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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12.03.2025

1. The present Petition under Article 226 of the Constitution of India read with Section 528 of *Bhartiya Nagrik Suraksha Sanhita, 2023* read with Section 482 Cr.P.C. has been filed by the Petitioner seeking issuance of a writ of mandamus directing Respondent No.1 to protect their life from Respondents No.3 to 8.

2. Learned Counsel for Petitioners submits that Petitioner No.1 is major and her date of birth is 28.03.2006. Petitioner No. 2 is also major and his date of birth is 05.10.2001. Petitioners have known each other for a long time and they out of their choice, decided to marry with each other. Respondents No.3 to 8, who are brothers of Petitioner No.1, threatened her that if she marries with her own choice, they shall finish her. However, Petitioner No.1 resisted to the call of Respondents No.3 to 8



and raised objection.

3. Petitioners married each other on 28.02.2025 as per *Muslim Shariat law* and since then, Petitioner No.1 has been living with her husband- Petitioner No.2. Respondents No.3 to 8 have extended threats to the Petitioners, against which they have filed a Complaint to SHO, Police Station Nihal Vihar, Delhi requesting to give protection.

4. Learned Counsel submits that Respondents No.3 to 8 are putting pressure on Petitioner No.1 to give up her marriage or else they shall hire the criminals for finishing their life. Petitioners are under fear that if they approach any police station, Petitioner No.1 shall be handed over to the custody of Respondents No. 3 to 8.

5. Mr.Yasir Rauf Ansari, learned Additional Public Prosecutor for Respondent-State, accepts notice and submits that Petitioners as well as Respondents No.3 to 8 are present in the Court.

6. This Court has interacted with the Petitioners and Respondents No.3 to 8. Petitioner No.1 submits that she has married Petitioner No.2 out of love and they both are happily living as husband and wife. She states that she does not want to go back to her parents and she apprehends threat to their life at the hands of Respondents No.3 to 8.

7. Respondents No.3 to 8 submit that Petitioner No.1 has married Petitioner No.2 against their wishes and she be directed to go back to her parents.

8. The admitted position is that Petitioner No.1 is a major and she has married Petitioner No.2 of her own free will and both are happily living together as husband and wife. Petitioner No.1 is at liberty to live with her husband Petitioner No.2.



9. However, it is made clear that the parents/relatives of Petitioner No.1 and Respondents No. 3 to 8, shall not indulge in any act resulting in any untoward incident and shall not create any hindrance in their matrimonial life.

10. The Petitioners shall provide their residential address to the SHO/Investigating Officer, who shall ensure their protection and also mobile number of the area Beat Constable be provided to them, whom they can contact, if need be.

11. With aforesaid, the present Petition and pending Application are accordingly disposed of.

NEENA BANSAL KRISHNA, J

MARCH 12, 2025

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