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

+ **W.P.(CRL) 935/2025 & CRL.M.A. 8750/2025**

KANCHAN KUMARI & ANR.

.....Petitioners

Through: Ms. Pavithra Veer Singh, Ms. Shinu Gupta, Mr. S. G. Goswami, Mr. Vikram Singh and Mr. Harshit, Advocates.

versus

THE STATE OF GOVT. OF NCT OF DELHI AND ORS.

.....Respondents

Through: Mr. Yasir Rauf Ansari, ASC with Mr. Alok Sharma, Ms. Jyotsana Pandit and Mr. Mohit Raj Nagar, Advocates. Insp. Ritesh, PS: Raj Park.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

24.03.2025

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1. Issue notice. Counsel mentioned in the appearance above accept notice.
2. The present petition filed under Article 226 of the Constitution of India, 1950 read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeks police protection from Respondents No. 4 to 7, who are the family members of Petitioner No. 1.
3. Counsel for the Petitioners submits that the Petitioner No. 1, aged around 21 years, was being pressurized by her family members to marry an elderly man, without her consent. However, on 19th July, 2021, Petitioner



No. 1 married Petitioner No. 2 on her own free will. Since the solemnization of the marriage, Respondents No. 4 to 7 have threatened the Petitioners of dire consequences. In this regard, the Petitioners have filed an undated complaint to the SHO, P.S. Raj Park, Delhi. The Petitioners have now invoked the jurisdiction of this Court as they apprehend a risk to their lives at the hands of Respondents No. 4 to 7 and have invoked their right to life and personal liberty.

4. Mr. Yasir Rauf Ansari, ASC for the State, apprises the Court that a missing complaint was received from one Mr. Rajkumar who is the uncle of Petitioner No. 1. On enquiry on the said complaint, it was found that both Petitioners are married to each other. It is also pointed out that the Petitioners had earlier approached the High Court of Judicature at Allahabad alleging that they are receiving threats from family members of Petitioner No. 1 on account of their decision to marry each other. By order dated 10th August, 2021, the High Court of Judicature at Allahabad observed as follows:

*“By means of this writ petition, petitioners are claiming following reliefs:
“(i) Issue a writ, order or direction in the nature of mandamus commanding the respondents not to interfere in the peaceful marital life of petitioners as husband and wife and direct to the respondent no.2 and 3 to provide protection to the petitioners.
(ii) Issue a writ, order or direction in the nature of mandamus commanding the respondents not to visit and knock the door of the petitioners.
(iii) Issue any other writ, order or direction as this Hon’ble Court may deem fit and proper in the facts and circumstances of the case to secure the ends of justice.”*

The petitioners are claiming themselves to be a married couple. They have alleged that they got married on 19.7.2021 and are apprehending threat from the parents of the petitioners as well as from the police authorities. However, petitioners have still not approached before the police authorities for seeking protection in view of the Government Orders dated



31.8.2019 and 5.9.2019, hence this petition is premature, therefore, the prayers made in this writ petition are rejected.

However, the petitioners are at liberty to approach the concerned police authorities with the prayer for protection in view of the aforesaid Government Orders.

With the aforesaid direction, the writ petition stands disposed of.”

5. The Court has considered the afore-noted facts and submissions. The Petitioners, who have both attained the age of majority, are in a consensual relationship. In the present matter, the Petitioners’ fundamental right under Article 21 of the Constitution of India is under threat at the instance of Respondents No. 4 to 7. Thus, in view of the facts and circumstances of the case, it is directed that the SHO of the concerned Police Station shall provide adequate protection to the Petitioners. It is further directed that the beat constable of the concerned Police Station shall be sensitized in this behalf. Furthermore, the telephone numbers of the concerned Police Station as well as of the beat constable shall also be provided to the Petitioners in order to enable them to contact the officers, in the event of any threat or apprehension.

6. With the above directions, the present writ petition, along with pending application, is disposed of.

SANJEEV NARULA, J

MARCH 24, 2025

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