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

+ **W.P.(CRL) 1792/2025 & CRL.M.A. 16764/2025**

ALISHA AND ANR.

.....Petitioners

Through: Mr. Ravi Joshi, Advocate along with
Petitioners in person

versus

STATE OF NCT DELHI AND ORS.

.....Respondents

Through: Mr. Sanjay Lao, Standing Counsel
with Mr. Abhinav Kumar, Mr. Aryan
Sachdeva, Ms. Priyam Agrawal,
Advocates with Insp. Shri Chand, PS
Seemapuri, SI Anil, PS Seemapuri, SI
Dinesh Kumar, PS NIA Delhi

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

27.05.2025

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1. The present petition under Article 226 of the Constitution of India, 1950 read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023¹ seeks issuance of writ of mandamus, directing Respondent Nos. 1 and 2 to protect the life and liberty of the Petitioners, and to provide them with adequate police protection.
2. The present petition arises from the strained circumstances surrounding the personal relationship between Petitioner Nos. 1 and 2. Petitioner No. 1, the adult daughter of Respondent No. 3, is currently residing with Petitioner No. 2. While Petitioner No. 1 comes from a Muslim



background, Petitioner No. 2 belongs to a Hindu family. The inter-faith nature of their relationship has reportedly drawn strong opposition from Petitioner No. 1's family, particularly from Respondent No. 3. It is the Petitioners' case that this opposition has escalated into threats and acts of intimidation, giving rise to a genuine and continuing apprehension for their safety and personal liberty, which now necessitates judicial intervention.

3. Petitioner No. 1 is present before the Court and affirms that she is a major, having been born on 19th December, 1999. In support of this assertion, she has placed on record a copy of her Aadhaar Card, which is taken on file. She states, without reservation, that she is residing with Petitioner No. 2 of her own free will, and that the relationship is one of choice, not compulsion. She further clarifies that her decision is uninfluenced by coercion, pressure, or any form of undue influence. Petitioner No. 2, who is also present in Court, affirms the same and supports her statement.

4. Petitioner No. 1 further states that upon disclosing her relationship with Petitioner No. 2 to her mother (Respondent No. 3), she was forcibly married off to one Musaahid on 26th June, 2024, at the instance of Respondent No. 3. She alleges that during the subsistence of this marriage, she was subjected to both physical and mental cruelty by Musaahid, which compelled her to leave his company and return to her maternal home. However, she did not feel safe or comfortable even in her maternal home as she had faced sustained abuse by her mother over several years.

5. Petitioner No. 1 further states that she has voluntarily chosen to reside with Petitioner No. 2 and expresses satisfaction with her current living

¹ "BNSS"



arrangement. In response to a specific query from the Court, she affirms that she is both happy and secure in the company of Petitioner No. 2, and that she has also been accepted by his family. However, she alleges that following disclosure of the relationship, Respondent No. 3 lodged a complaint at Police Station Seemapuri, which allegedly led to acts of harassment and intimidation by certain police officials directed towards Petitioner No. 2's family. She asserts that Respondent No. 3 has close connections within the local police administration and expresses a genuine apprehension that, acting in concert with these officials, Respondent No. 3 may attempt to falsely implicate the Petitioners in criminal proceedings. It is further stated that Respondent No. 3 is fully aware of her current place of residence and has, on multiple occasions, visited the premises, allegedly with the intent to create disturbances and escalate tensions. In view of Respondent No. 3's continued opposition to her relationship, Petitioner No. 1 apprehends that she may resort to coercive or unlawful measures that could endanger the safety and liberty of both Petitioners.

6. The Court has heard Petitioner No. 1 in person and carefully considered the submissions placed on record. Since Respondent No. 3 is not present before the Court, no opinion is expressed at this stage on the truth or correctness of the allegations levelled against her. However, it cannot be overlooked that the Petitioners belong to different religious communities, a factor which, though legally irrelevant to the autonomy of adult individuals, may give rise to social resistance or familial opposition, including from Respondent No. 3 and others associated with her.

7. This Court is of the considered view that both Petitioners are adults, capable in law of taking decisions concerning their personal relationships



and place of residence. Their right to choose a partner and to cohabit as consenting adults is constitutionally protected under Article 21 of the Constitution of India, which encompasses the rights to personal liberty, autonomy, dignity, and privacy. Any attempt to interfere with or frustrate the lawful exercise of such rights, by private individuals or through the misuse of state machinery, cannot be countenanced.

8. Mr. Sanjay Lao, Standing Counsel (Criminal) for the State, submits that the SHO of the concerned police station shall ensure that adequate protection is extended to the Petitioners.

9. Accordingly, it is directed that the beat constable assigned to the area, where the Petitioners reside, shall be appropriately sensitised and remain alert to any potential threat or disruption. The contact details of both the SHO and the designated beat constable shall be furnished to the Petitioners to facilitate immediate access to police assistance in case of any exigency.

10. The writ petition, along with the pending application, stands disposed of in the above terms.

SANJEEV NARULA, J

MAY 27, 2025/ab