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

+ W.P.(CRL) 1203/2026, CRL.M.A. 11493/2026-Exp

KIRTI AND ANR

.....Petitioners

Through: Mr. Rahul Sharma & Ms. Shailja,
Advs.

versus

STATE OF NCT OF DELHI AND ORS.Respondents

Through: Mr. Yasir Rauf Ansari, ASC for
State.
SI Rahul Rathi PS Sangam Vihar.

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

15.04.2026

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CRL.M.A. 11493/2026 (*for exemption*)

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

W.P.(CRL) 1203/2026

3. By virtue of the present petition under *Article 226* of the Constitution of India read with *Sections 528* of the *Bharatiya Nagarik Suraksha Sanhita, 2023*, the petitioners seek issuance of a writ in the nature of *Mandamus* thereby granting them protection against the threat to their life and limb at the hands of respondent no.4, being the father of petitioner no.1.
4. Learned counsel for the petitioners submits that both the petitioners



are consenting adults, who, out of their own free will and volition, have solemnised marriage *inter se* themselves on 18.03.2026 as per Hindu Vedic rites and customs. He submits that respondent no.4, i.e. the father of the petitioner no.1, has been constantly intimidating the petitioners, as well as threatening them with grave physical harm thereby interfering with their right to life and personal liberty. In view thereof, he prays that Police protection be granted to the petitioners.

5. Learned counsel for the petitioners submits that though the address mentioned in the memo of parties is that of Delhi, however, due to the fear of the respondent no.4, the petitioners are presently residing outside the precincts of Delhi though they intend to reside at the address of petitioner no.2.

6. Issue notice.

7. Learned Additional Standing Counsel (ASC) for the State accepts notice and submits that the address provided by the petitioners falls within the jurisdiction of PS.: Sangam Vihar, Delhi.

8. Considering the facts and circumstances involved, issuance of notice to the remaining respondents is dispensed with.

9. The petitioners are grown up consenting individual who are adults and are open to make their own choices out of their respective free will, be it that of choosing their respective life partners. One having done so, and taken the cerebral vow of marriage they are well and truly entitled to lead their respective lives with liberty and dignity as guaranteed under Part III of the Constitution of India. Not only that, they are also entitled to care and protection from anyone, be it those from the Society and/ or the public including the parents/ relatives/ friends.



10. In fact, all these are recognised and highlighted by the Hon'ble Supreme Court in *Shafin Jahan vs. Asokan K.M.* [(2018) 16 SCC 368], as well as in *Lata Singh vs. State of U.P. & Another* [(2006) 5 SCC 475].

11. In view of the aforesaid practical and legal position, the present petition is allowed. As a consequence thereof, the petitioners shall be free to get in touch with either the Head/ Beat Constable, i.e. Mr. Mahesh (+91 8810287891), or the SHO, (+91 8750870833), PS: Sangam Vihar, Delhi, if, as and when the need so arises.

12. Needless to say, the SHO and the concerned Beat Constable shall also take all possible steps to provide adequate assistance and protection, as and when needed to the petitioners, in accordance with law.

13. It is clarified that if the petitioners choose to reside within the jurisdiction of any other Police Station, they shall apprise about the same and give the complete details including the address to the SHO of the concerned Police Station within a period of *three days* from shifting and the concerned SHO shall also take all possible steps to provide adequate assistance and protection, as and when needed to the petitioners, in accordance with law.

14. Accordingly, the present petition is disposed of in the aforesaid terms.

SAURABH BANERJEE, J

APRIL 15, 2026/ab