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

+ **W.P.(CRL) 1912/2024**

CHARANJIT

..... Petitioner

Through Appearance not given.

versus

THE STATE OF NCT OF DELHI AND OTHERS

..... Respondent s

Through Ms. Priyam Agrawal, SC for
Mr. Sanjay Lao, SC along with
SI Naresh Kumar, PS Baba
Haridas Nagar.

CORAM:

HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

% **28.06.2024**

CRL.M.A. 18555/2024 – EXMP.

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

W.P.(CRL) 1912/2024

3. The petitioner has instituted this writ petition under Article 226 of the Constitution of India read with Section 482 of the Cr.P.C. seeking appropriate writ/direction against respondent No.4, who is the father of his wife/Ms. Apoorva, alleging that threats have been advanced by the father and his family members so as to kill his wife for the honour of their family being at stake on account of their marriage and also threatening to cause harm to his life and liberty.
4. Ms. Priyam Agrawal, learned Standing Counsel is present on



behalf of Mr. Sanjay Lao, learned Standing Counsel on advance notice. Investigating Officer (IO) SI Naresh Kumar, PS Baba Haridas Nagar is also present.

5. No Status Report is filed. Some time is sought to file a Status Report.

6. One girl, who identifies herself as Ms. Apoorva is also present along with her father and tau ji, namely Mr. Jasmail. The IO has identified the girl, as also the petitioner.

7. On being asked, Ms. Apoorva states that she has got married to the petitioner voluntarily and on her own accord without any coercion, threat or inducement. She states that she wishes to go back with the petitioner and resume her matrimonial relationship. She is about 25 years of age, an adult and educated girl, and thus capable of making her own choices.

8. The father and tau ji of the girl, who are present in the Court, however, raise objections to the effect that the petitioner and Ms. Apporva happen to be real cousins and in a way, they are brother and sister for falling under the same gotra and they cannot be allowed to marry.

9. *Per contra*, learned counsel for the petitioner has urged that they are not falling within the prohibited degree of sapinda relationship under the Hindu Marriage Act, 1956.

10. Ms. Priyam Agrawal advocate points out that she has spoken to the girl and she apprehends that in case she is forced to go back to live with her parents, some life threatening situation might crop up.

11. In view of the above, the instant writ petition is disposed of with the direction that Ms. Apoorva is free to go with the petitioner and resume her matrimonial relationship. The State is directed to



ensure adequate protection to the petitioner and his wife Apoorva so as to safeguard their life and liberty.

12. Ordered accordingly.

DHARMESH SHARMA, J.
(VACATION JUDGE)

JUNE 28, 2024/sa