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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 2419/2025 & CRL.M.A. 22758/2025, CRL.M.A.**
22759/2025

PRINCE TYAGI AND ANR

.....Petitioners

Through: Mr. Anjaneya Mishra, Mr. Nidish Gupta, Mr. Sahil and Mr. Abhishek Shukla, Advocates.

versus

STATE OF NCT OF DELHI AND ORS

.....Respondents

Through: Mr. Rahul Tyagi, ASC with Mr. Sangeet Sibou, Mr. Priyansh Raj Singh Senger and Mr. Aniket Kumar Singh, Advocates for the State.
Insp. Pawan Kumar, HC Rakesh Kumar, PS: Neb Sarai.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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05.08.2025

1. The present petition is filed by a young couple who have lawfully solemnized their marriage, seeking the Court's intervention to ensure their safety and protect their right to live together in peace. Faced with apprehensions of threats, coercion, and interference from family members opposed to their union, the Petitioners approach this Court under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023¹ (formerly Section 482 of the Code of Criminal Procedure, 1973²) seeking the following relief:

¹ "BNSS"

² "Cr.P.C"

- “a. Issue an appropriate writ, order or direction, more particularly a writ of mandamus, directing the Respondent No.1 to provide protection to both the Petitioners and ensure that no harm befalls either of them, particularly, from the Respondent No.2 & 3 or other family members of the Petitioner No.2;*
- b. Issue an appropriate writ, order or direction, more particularly a writ of mandamus, directing the Respondent No.1 not to take any coercive action on the Complaint or FIR (if already registered) filed by the Respondent No.2 & 3 against the Petitioners and family members of the Petitioner No.1;*
- c. Issue an appropriate writ, order or direction, more particularly a writ of mandamus, thereby directing the Respondents not to interfere in the peaceful marital life of the Petitioners and not to cause any harm or bodily injury to the said Petitioners;”*

2. Petitioners No. 1 and 2, both having attained majority, solemnized their marriage on 23rd July, 2025, of their own free will and volition, in accordance with Hindu rites and customs at the Arya Samaj Sanatan Vaidik Sanskar Trust, Tis Hazari Court, Delhi. In support of their union, they have placed on record a copy of the marriage certificate, as well as documents evidencing that both individuals have attained the age of majority.

3. It is the Petitioners' case that Respondent No. 2, the legal guardian of Petitioner No. 2, and Respondent No. 3, her mother, expressed strong objection to their relationship and have allegedly issued repeated threats of physical harm, particularly targeting Petitioner No. 2. Confronted with persistent hostility and fearing for her safety, Petitioner No.2 left her parental home on 18th July, 2025, after duly informing Respondent No. 3 of her intention to marry Petitioner No. 1.

4. The Petitioners further contend that despite their marriage, Respondents No. 2 and 3 have continued to issue threats and attempts at intimidation. They claim to have received threatening messages, phone and video calls, some allegedly made by or at the behest of police officials from

P.S. Neb Sarai. It is apprehended that false complaints may have been lodged by Respondents No. 2 and 3 to harass them and disrupt their peaceful cohabitation.

5. The Court has heard the matter at length. Respondent No. 1 has filed a status report, a copy whereof has been handed over across the Board and taken on record.

6. As per the status report, a complaint was filed by Respondent No. 3 regarding the alleged disappearance of Petitioner No. 2, which resulted in the registration of DD Entry No. 55A dated 19th July, 2025, at P.S. Neb Sarai. During the preliminary inquiry, Petitioner No. 1 submitted a copy of the marriage certificate, and Petitioner No. 2 was contacted telephonically by the Investigating Officer. She categorically confirmed that she had voluntarily married Petitioner No. 1 and had left her parental home of her own accord. Upon confirmation of these facts, the missing person inquiry was duly closed, and the same was communicated to Respondents No. 2 and 3.

7. The right of two consenting adults to choose each other as life partners and to live together in peace is a facet of their personal liberty, privacy, and dignity protected under Article 21. Family disapproval cannot curtail that autonomy. The Supreme Court has repeatedly affirmed this position and directed the police to safeguard such couples from intimidation or harm. Thus, in view of the status report closing the “missing” entry and noting the Petitioners’ voluntary marriage, no further directions are necessary regarding this issue.

8. As regards the Petitioners’ apprehension of threats, Respondent No. 1 shall ensure adequate protection. The SHO of the concerned police station

shall designate a beat officer, sensitise him/her to the present order, and furnish to the Petitioners, the mobile numbers of the beat officer and the station's 24×7 contact. Upon any complaint of threat, the police shall promptly enter a DD entry and extend immediate assistance. For co-ordination, counsel for the Petitioners shall share the Petitioners' current place of residence and contact details with the Investigating Officer, today itself.

9. It is clarified that this Court has not expressed any opinion on the merits of the allegations raised by the Petitioners against Respondents No.2 and 3. Since notice has not been issued to them and they have not been heard at this stage, all rights and contentions of the parties are left expressly open to be agitated before the appropriate forum in accordance with law. The directions issued herein, particularly those concerning police protection, are purely preventive in nature, aimed at ensuring the Petitioners' safety and safeguarding their right to life and liberty. They shall not be construed as an expression of opinion on the truthfulness of the Petitioners' claims, nor as any endorsement thereof.

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

SANJEEV NARULA, J

AUGUST 5, 2025/d.negi