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

+ **W.P.(CRL) 2305/2025**



.....Petitioner

Through: Mr. Utkarsh Singh and Mr. Mayank
Gupta, Advocates.

versus

STATE OF DELHI THROUGH COMMISSIONER OF POLICE &
ANR.Respondents

Through: Mr. Rahul Tyagi, ASC for State.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% **25.07.2025**

CRL.M.A. 21549/2025 (for exemption)

1. Exemption is granted, subject to all just exceptions.
2. The Petitioner shall file legible and clearer copies of exempted documents, compliant with practice rules, before the next date of hearing.
3. Accordingly, the application stands disposed of.

W.P.(CRL) 2305/2025

4. The Petitioner, a Muslim by faith, intends to marry Ms. 'X', who is a Hindu by faith. Keeping the sensitivity of inter faith relations in mind, the Petitioner, through the present writ petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023¹ read with Article 226 of the Constitution of India, seeks directions to the Respondents to provide security and protection for him and his partner, and also a safe house



accommodation.

5. The Petitioner submits that he has been in a consensual relationship with Ms. 'X' since 2018. Both individuals now intend to solemnize their marriage under the provisions of the Special Marriage Act, 1954². It is submitted that the Petitioner and Ms. 'X' are adults and legally competent to make their own life choices, including the decision to marry. However, given that it is an interfaith marriage, they apprehend familial opposition and potential threats to their safety. In light of these concerns, a formal complaint was lodged with the Deputy Commissioner of Police ('DCP'), South-East District, on 23rd July, 2025, requesting police protection in accordance with the Delhi Police Standard Operating Procedure ('SOP') on Safe Houses and Special Cells for Couples of Inter-Caste / Faith Marriages.

6. Despite this request, rather than extending the requisite protection or facilitating their stay in a designated Safe House, Ms. 'X' was allegedly forcibly separated from the Petitioner, subjected to medical examination, and subsequently detained at Nirmal Chhaya Shelter Home on 24th July, 2025. She has been denied access to her mobile phone and is not permitted to meet with the Petitioner. It is further submitted that these actions were taken despite her repeated and recorded pleas to remain in the company of the Petitioner. Such conduct, *prima facie*, amounts to a violation of the fundamental rights of both the Petitioner and Ms. 'X', particularly their right to liberty, dignity, and to make autonomous decisions concerning marriage, as guaranteed under Article 21 of the Constitution.

7. Having regard to the aforementioned facts, this Court directs the concerned

¹ "BNSS"

² "SMA Act"



DCP to file a Status Report, personally verified by him, detailing the circumstances surrounding the events of 23rd and 24th July, 2025, including the action taken on the Petitioners' complaint.

8. Mr. Rahul Tyagi, ASC for the State, is directed to ensure that a copy of this order is communicated to the DCP concerned. The said DCP shall personally inquire into the matter and contact with Ms. 'X' at Nirmal Chhaya Shelter Home today itself. He shall ascertain her safety and record her wishes, specifically whether she seeks to remain in the company of the Petitioner. If she confirms the same, appropriate arrangements shall be made to relocate both the Petitioner and Ms. 'X' to a designated Safe House today itself, in accordance with the Delhi Police SOP.

9. Status Report be filed before the next date of hearing.

10. The Registry is directed to send a copy of this order via email to the concerned DCP at ***dcp.seast@delhipolice.gov.in***, for immediate compliance.

11. *Dasti* under the signatures of Court Master.

12. Renotify on 8th August, 2025.

SANJEEV NARULA, J

JULY 25, 2025

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