

\$~84

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

+ W.P.(CRL) 3005/2018 & CrI. M.A. Nos.33382-83/2018

SADHANA SINSINWAR AND ANR. Petitioners

Through: Mr. Anand Grover, Sr. Advocate with
Mr. Saurabh Chauhan, Mr. Varun
Jain, Ms. Tripti Tondon, Ms. Aarushi
Mahajan & Mr. Samyak Gangwal,
Advocates

versus

STATE & ORS. Respondents

Through: Mr. Rahul Mehra, Standing Counsel
& Mr. R.S. Kundu, ASC for State
with Mr. Bhagat Singh & Mr. Murli
Manohar, Advocates

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

% **01.10.2018**

The petitioners are legal adults and live together of their own free choice. The learned counsel for the petitioners submits that there is no legal impediment in two consenting adults living together. He refers to the recent judgment of the Supreme Court in *Navtej Singh Johar vs. UOI*, AIR 2018 SCC 1350. The petitioners fear for their life, limb and liberty from respondent Nos. 3 and 4 who apparently do not approve of the petitioners' cohabitation. The petitioners submit that not only is the police not providing requisite protection to them, in spite of a representation being made on 28.09.2018, but a person identifying herself as Sub-Inspector Manju from Dwarka police station, whose number is mentioned in the petition, has threatened them that unless their location is disclosed to her, a case of may be filed against petitioner No. 2.

The petitioners have a right to live their lives in terms of the

constitutional freedom recognised and reiterated by the Supreme Court in the aforesaid judgment.

In view of the above, the learned counsel for the State assures the Court that the petitioners shall be given due protection. Additionally, the petitioner shall be provided with telephone numbers of three police officers from the jurisdiction of the concerned Police Station of which one shall be of a lady police officer. These numbers shall be kept operational at all times so that any exigency could be intimated on either of the numbers by the petitioners. Mr. Mehra further assures the Court that any message received on the said numbers or on any other telephone number of the police either by way of a telephone call or SMS shall be immediately responded to. The Beat Constable/Division Staff of the area shall regularly visit the residence of the petitioners on a daily basis and report the same in the *Roznamcha*. The safety and security of the petitioner shall be assessed by the SHO on a weekly basis with due endorsement of the same in the *Roznamcha*. The Beat Constable shall record entries in his Beat Book.

The learned counsel for the State also assures the Court that the matter of threat by the aforesaid Sub-Inspector Manju would be investigated and appropriate action shall be taken against the said officer, if the allegation is found to be true. No further orders are required at this stage.

The petition stands disposed of accordingly.

A copy of this order be given *dasti* to the learned counsel for the parties under the signature of the Court Master.

NAJMI WAZIRI, J

OCTOBER 01, 2018/rd