

**HIGH COURT OF JUDICATURE FOR RAJASTHAN  
BENCH AT JAIPUR**

S.B. Civil Writ Petition No. 8190/2019

Sunita Sharma Daughter Of Liladhar Sharma

----Petitioner

Versus

State Of Rajasthan

----Respondent

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Petitioner(s) : Mr. Ved Pal Shastri, Adv.

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**HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA**

**Order**

**03/05/2019**

1. By way of this writ petition, the petitioner submits that respondent no.2-Balram Jakhar has wrongfully and by coercion entered into relations with the petitioner and has cohabited with her by giving her false assurances of marriage. The petitioner, who was earlier married to someone-else, took divorce from her erstwhile husband on account of the assurance made by the respondent no.2 that the respondent no.2 will marry to the petitioner. The respondent no.2 also had by coercion forcefully entered into sexual relationship with the petitioner and the petitioner had lodged an FIR against the respondent no.2 under Section 376 IPC on 06/02/2018 at Police Station, Sadar, Jaipur. However, on the subsequent assurances made by the respondent no.2, the petitioner gave a statement in the Court of ACMM No.16, Jaipur Metropolitan, Jaipur that she does not want to take up further proceedings against the respondent no.2 and on the said basis, final report was accepted by the Court of ACMM No.16, Jaipur Metropolitan, Jaipur. Petitioner further submits that as the

respondent no.2 now has been selected as an Income Tax Inspector, he has rescinded from his promise and is going to marry to one Monika (respondent no.3) and the petitioner, thus, has prayed that the respondent no.2 be restrained from entering into the second marriage as the petitioner has been living with respondent no.2 as husband and wife in live in relationship.

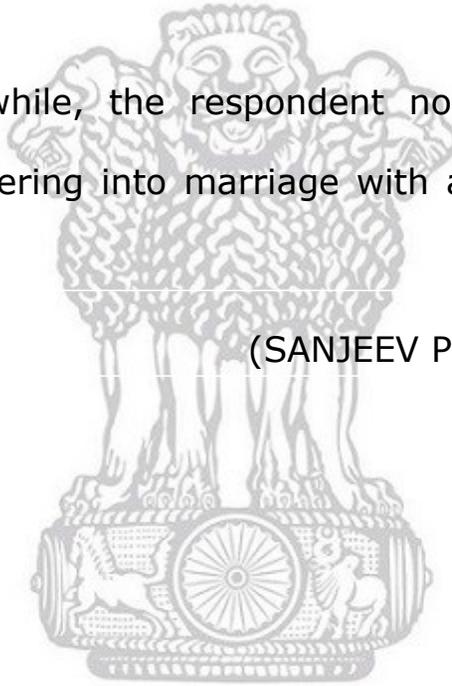
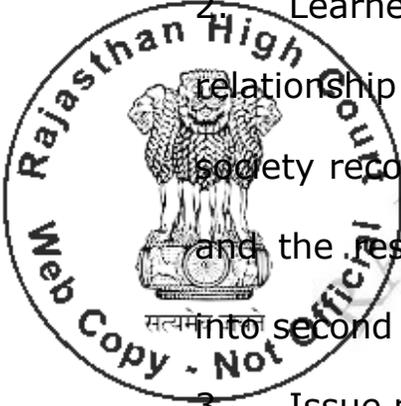
2. Learned counsel for the petitioner submits that live in relationship in the Indian society amounts to marriage and the society recognizes it only as a marriage and not in any other form and the respondent no.2, therefore, cannot be allowed to enter into second marriage as it will spoil the future life of the petitioner.

3. Issue notice.

4. In the meanwhile, the respondent no.2-Balram Jakhar is restrained from entering into marriage with any person including respondent no.3.

(SANJEEV PRAKASH SHARMA),J

Raghu /397



सत्यमेव जयते