सत्यमेव जयते
न्यायालय मुख्य आयुक्त दिव्यांगजन
COURT OF THE CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)
दिव्यांगजन सशक्तिकरण विभाग/Department of Empowerment of Persons with Disabilities (Divyangjan)
सामाजिक न्याय और अधिकारिता मंत्रालय/Ministry of Social Justice & Empowerment
भारत सरकार/Government of India
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Case No. 13806/1141/2023

In the matter of-

Shri Abnod Kumar **…Complainant**

Versus

The Commissioner,
Office of the Commissioner of Police
Police Headquarters
Jai Singh Road, New Delhi **…Respondent**

1. Gist of the Case:

1.1 Shri Abnod Kumar, a person with 60% locomotor disability filed a complaint dated 23.01.2023 and submitted that the complainant was married to Ms. Varsha Rani on 26.12.2022 without dowry, coercion. This marriage was done by mutual consent.

1.2 The family of the complainants' wife is not agreeable to the marriage as the complainant belongs to a person with disability and scheduled caste. On December 21, 2022, the people of the Bihar Police took Pramod and Sabnod, brothers of the complainant from their factory. The policeman beat them and ask for the complainant address. The policeman beat the complainant and deleted the wedding photo from his phone and also broke his phone. His wife told the policemen that she is completely satisfied with the marriage.

1.3 The policeman forced him to came to the police station and settle the matter. He did not talk his wife.

2. Submissions made by the Respondent:

2.1 The matter is taken up with the respondent vide notice dated 03.03.2023 followed by reminder dated 12.04.2023. However, no response has been received

from the respondent.

3. Reply filed by Respondent:

3.1 Respondent filed their reply dated 18.10.2023 and submitted an enquiry report reveals that the complainant, Abnod Kumar, married Varsha Rani on 26.12.2022 and lived with her in Delhi. He alleged that Bihar Police took him to the police station, assaulted him, and took his wife to Bihar.

3.2 However, enquiry found that FIR No. 678/2022 (dated 28.12.2022) was already registered in Bihar regarding the alleged kidnapping of Varsha Rani. Police traced her and took her to Nalanda as per legal procedure. She is a major and went to her brother's house willingly. No medical evidence supports the allegation of assault on the complainant.

3.3 The complainant failed to join the enquiry despite repeated directions. Therefore, as the matter has already been handled legally and no wrongdoing is established, no further enquiry is required.

4. Letter to Respondent against the reply dated 18.10.2023 filed by Respondent:

4.1 A letter dated 28.07.2025 to respondent and stating that "The Court has acknowledged and appreciated the efforts of the department in tracing the woman in Nalanda, Bihar, as per the letter dated 19.10.2023."

4.2 The Court sought additional information from Delhi Police regarding:

(a) steps taken to investigate the complainant's allegations, and

(b) opportunities given to the complainant to submit evidence or comments.

4.3 However, no response received against this letter.

5. Hearing (I):

5.1 The case was heard on 06.04.2026, none for Complainant and Respondent was represented by Shri Deepak Chandra, ACP Gokulpuri, Delhi Police. During the hearing the Court found Delhi Police's claim that no records or complaint existed to be inconsistent with its earlier inquiry report dated 18.10.2023, which concluded that the woman was a major, had left voluntarily, and that no assault or wrongdoing was established.

5.2 The Court also noted the Complainant's non-participation in the inquiry and Delhi Police's failure to respond to the communication dated 28.07.2025 seeking clarification. Accordingly, the Respondent was recommended to verify all records

and submit an action taken report within 15 days.

6. Hearing (II):

6.1 The case was heard on 06.07.2026 and the Complainant was absent during the hearing and Respondent was represented by Shri Arvind Yadav, Additional DCP North East District, Delhi Police. During the hearing, Delhi Police stated that no relevant records or complaint were available; however, the Court noted that an earlier inquiry report dated 18.10.2023 had already dealt with the matter.

6.2 The Court also observed that Delhi Police had not responded to the communication dated 28.07.2025 seeking clarification.

6.3 The Court granted a **final opportunity to the Respondent with recommendations** to verify the relevant records and submit a detailed Action Taken Report within 15 days, failing which penal action under the Rights of Persons with Disabilities Act, 2016 may be considered.

7. Hearing (III):

7.1 The case was heard on 27.07.2026 wherein following parties were present during the hearing:

Sl. No.	Name and Designation of the Attendees	On Behalf of	Mode
1.	None-Present	Complainant	N/A
2.	Shri Yatin Sharma, Assistant Commissioner of Police, Khajuri Khas, Delhi Police	Respondent	Online

8. Proceedings of the hearing:

8.1 During the hearing, the concerned police authority submitted that the Investigating Officer had contacted the brother of Ms. Varsha Rani and had obtained information regarding her present circumstances.

8.2 It was informed that, according to the statement of her brother, Ms. Varsha Rani is presently married and has two children. The police authority further informed that the brother had requested that she should not be disturbed, as any such intervention might adversely affect her mental well-being.

8.3 The police authority also informed that a written request/statement bearing

the signature of the brother was available on record and dated 07.07.2026. The police further stated that the relevant WhatsApp communication and other material collected during the inquiry had been enclosed with its report.

9. Observations and Recommendations:

9.1 The Court has considered the complaint, the reply and inquiry report dated 18.10.2023, the subsequent communications and the submissions made on behalf of the Respondent during the hearings. The allegations raised by the Complainant and the explanations furnished by the Respondent require consideration in the light of the available record. The allegations of assault and other misconduct have not been conclusively established before this Court.

9.2 The Court notes that the Complainant has remained absent during the hearings and, as stated in the inquiry report, did not participate in the inquiry despite being called upon to do so. Nevertheless, his allegations and the material placed on record warrant appropriate consideration within the jurisdiction of this Court.

9.3 The Court further notes that the Respondent has relied upon information obtained from the brother of Ms. Varsha Rani regarding her present circumstances and wishes. However, the information conveyed through a family member, by itself, may not conclusively establish her present wishes or whether she is residing in circumstances free from coercion or undue influence.

9.4 In view of the above, and having regard to the principles of dignity, autonomy, safety and personal liberty, the Respondent is recommended to make reasonable efforts, within its lawful jurisdiction, to ascertain the present circumstances and wishes of Ms. Varsha Rani directly, as far as practicable. Her statement may be recorded regarding her safety, present residence and whether she wishes the matter to be pursued further. Such interaction shall be conducted in a manner that safeguards her dignity, privacy and well-being and ensures that she is able to express her wishes freely, without coercion, intimidation or undue influence.

9.5 If her direct statement cannot be obtained despite reasonable efforts, the Respondent shall record the reasons therefor and place on record the steps taken and the best available material concerning her present circumstances. If any aspect of the matter falls within the jurisdiction of another police authority, the same shall be referred to or coordinated with the competent authority, as appropriate under law.

9.6 The Respondent shall also verify the relevant records concerning the earlier inquiry and the allegations made by the Complainant, to the extent such verification

remains necessary, and clearly indicate the findings and action taken in its report.

9.7 The Respondent is accordingly recommended to submit a comprehensive Action Taken Report to this Court within 90 days from the date of issuance of the present order, indicating the steps taken in compliance with the above recommendations. The report shall be submitted in the context of the functions and powers of the Chief Commissioner under Section 75 of the Rights of Persons with Disabilities Act, 2016.

9.8 It is clarified that the present proceedings are confined to the consideration of the grievance under the Rights of Persons with Disabilities Act, 2016. The observations made herein shall not be construed as a conclusive determination of the criminal allegations, the validity of the marriage or any other disputed question of fact falling within the jurisdiction of the competent court or authority.

10. Accordingly, the case is disposed of.

Digitally signed by
S Govindaraj
Date: 28-10-2026
16:17:55

(S. Govindaraj)
Commissioner for Persons with Disabilities