**U/S 12 0F DOMESTIC VIOLENCE ACT**

 IN THE COURT OF CHIEF JUDICIAL MAGISTRATE/

CHIEF METROPOLITAN MAGISTRATE

 COMPLAINT NO. …….OF 2017

IN THE MATTER OF :-

Smt. X W/o Late Sh. Y

Complainant R/o………..

 Versus

Sh. Z S/o

Respondent R/o

 **COMPLAINT UNDER SECTION 12 OF THE PROTECTION OF WOMEN FROM**

 DOMESTIC VIOLENCE ACT, 2005

Sir,

It is most respectfully submitted as under:-

 1. That the Respondent is the father- in- law of the Complainant who is harassing and

 torturing the Petitioner by illegal act of violence in order to throw her out of the

 matrimonial home.

 2. That the Petitioner was married to Late Sh. Y on …..as per Hindu rites and

 ceremonies and thereafter started living in the matrimonial home as a joint family

 along with the Respondent and that out of the wedlock following two children were

 born who are in the care and custody of the complainant. The husband of the

 complainant died on …..due to illness

 S.No.Name ofRelationAgeStatus

 Children

1

Master A

Son

8

Studying in

class IV

Studying in

class I

2

Baby B

Daughter

5

3. That before his death Sh. Y engaged in the manufacturing and trading of Auto parts

 and was having factory at rented accommodation at …….and was running as sole

 proprietor by the name and style of M/s….. and was also running a shop on ground

 floor.

4. That after the death of the husband of the Complainant on …the Respondent has

 misappropriated the machines, tools raw materials etc. lying in the factory of the

husband of the complainant and has also trespassed into the shop, belonging to

husband of the complainant.

That the shop of the husband and Complainant has been taken over by the

Respondent who doesn‟t allow the complainant to enter the same and to run the same.

That the Respondent is economically harassing the complainant as he has taken over

the shop and doesn‟t pay any amount to the complainant who has no money and has

no earnings at all and is dependent upon the shop of her husband for maintenance

That not only this, the Respondent maltreats the complainant in one way or the other

and abuses her in filthy language and want her to vacate the second floor of the

property so that they may trespass in to the same.

That the Respondent threatens the Complainant with the dire consequences on not

vacating the second floor of the property.

That hence Complainant is left with no other alternative but to file the instant

complaint under Section 12 of Protection of Women from Domestic Violence Act as

complainant.

That the complainant has domestic relationship with the Respondent as Respondent

was living with the complainant before the death of her husband.

That the deeds and misdeeds of the Respondent are affecting the health and safety of

the complainant as well as her two children as after the death of her, the Respondent

wants the children to stop going to the school and be sent to an orphanage.

That the complaint under Section 12 of the Protection of Women from Domestic

Violence Act, 2005 is being filed as such by the aggrieved person.

 That it is prayed that the Hon‟ble court may take cognizance of the complaint and

pass all/ any of the orders, as deemed necessary in the circumstances of the case.

Orders prayed for are:

 I.Protection Order under Section 18 directing Respondent to stay away from

 Complainant and not to interfere in her possession of the ground floor, second

 floor of the property in any manner whatsoever

 II.Residence Order under Section 19 directing the Respondent to restrain from

 dispossessing the Complainant from the second and the third floor of

 property no. …. ( specifically shown in red in site plan enclosed) and to

 restraint from interfering in the possession of the Complainant on the ground

 floor of the property including the shop in property no.

 III.Monetary Relief under Section 20 directing the Respondent to pay the

 following expenses as monetary relief

 a. Food, clothes, medications and other basic necessities- Rs 15000

 p.m.

 b. School fees and related expenses – Rs 10000 p.m.

amounting to total of Rs 25,000 p.m.

IV.

Compensation under Section 22 for causing mental agony and physical

suffering by the complainant as deemed fit by this Hon‟ble Court.

PRAYER

 It is, therefore, most respectfully, prayed that this Hon‟ble Court be pleased to grant the

relief(s) claimed herein and pass such orders as this Hon‟ble Court may deem fit and proper

under the given facts and circumstances of the case for protecting the Complainant from

domestic violence.

Complainant

Through

Advocate

VERIFICATION

Verified at Delhi on this day of …….that the contents of the paras 1 to …. of the above

complaint are true and correct to my knowledge and nothing material has been concealed

there from .

 Complainant

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To be accompanied by an affidavit