
(2019) 05 UK CK 0163

In the Uttarakhand High Court

Case No : Criminal Writ Petition No. 851 Of 2019

Alkama Naz And Others

APPELLANT

Vs

State Of Uttarakhand And Others

RESPONDENT

Date of Decision : 31-05-2019

Acts Referred:

Indian Penal Code, 1860 — Section 315, 323, 328, 376(2)(n), 377, 504, 506
Protection Of Children From Sexual Offences Act, 2012 — Section 5, 6
Muslim Women (Protection Of Marriage Rights) Ordinance, 2018 — Section 3, 4

Citation : (2019) 05 UK CK 0163

Hon'ble Judges : Ramesh Ranganathan, CJ;Alok Kumar Verma, J

Bench : Division Bench

Advocate : Neetu Singh, Subhash Tyagi Bhardwaj

Final Decision : Disposed Off

Judgement

Ramesh Ranganathan, CJ

1. Heard Ms. Neetu Singh, learned counsel for the petitioner and Mr. Subhash Tyagi Bhardwaj, learned Deputy Advocate General appearing on behalf of State and, with their consent, the writ petition is disposed of at the stage of admission.
2. A First Information Report was lodged as Case Crime No.0257/2019, against respondent Nos.3 to 8 for the offences under Sections 376(2) (n), 377, 315, 323, 328,504,506 of IPC and Section 5/6 POCSO Act, and Section 3/4 of the Muslim Women (Protection of Marriage Rights) Ordinance, 2018 at Police Station Kotwali-Gangnagar Roorkee, District Haridwar.
3. The Second petitioner apprehends threat to her life from respondent Nos.3 to 8, and has invoked the jurisdiction of this Court seeking police protection. The photograph of the third respondent's son is enclosed which shows him to be carrying four firearms, two in his hands and two in his vest.
4. Instead of keeping the writ petition pending on the file of this Court suffice it to direct the Senior Superintendent of Police, Haridwar to cause an enquiry into

the matter and, if he is satisfied that there is indeed a threat to the life of the petitioners, to then provide them police protection. A decision in this regard shall be taken at the earliest, preferably within one week from today.

5. The writ petition stands disposed of accordingly.

6. Let a certified copy of this order be issued to learned counsel for the parties, on payment of prescribed charges, today itself.