

(2020) 11 UK CK 0084

In the Uttarakhand High Court

Case No : Writ Petition (Criminal) No. 1612 Of 2020

Arti & Another

APPELLANT

Vs

Senior Superintendent Of Police, Udham Singh Nagar &
Others

RESPONDENT

Date of Decision : 27-11-2020

Acts Referred:

Citation : (2020) 11 UK CK 0084

Hon'ble Judges : Sudhanshu Dhulia, J;Alok Kumar Verma, J

Bench : Division Bench

Advocate : Mehboob Rahi, J.S. Virk

Final Decision : Dismissed

Judgement

Sudhanshu Dhulia, J

1. This case has been heard through video conferencing.
2. Petitioners are a married couple who had sought protection from this Court as their marriage was being opposed at the hands of the private respondent no.3 who is father of petitioner no.1.
3. This Court vide its order dated 05.10.2020 had passed the following order:-
â??This case has been heard through video conferencing.

Mr. Mehboob Rahi, Advocate, for the petitioners.

Mr. J.S. Virk, Deputy Advocate General, with Mr. Rakesh Joshi, Brief Holder, for the State/respondent nos. 1 & 2.

Petitioners before this Court are a married couple and their marriage was solemnized as per Hindu ceremony on 14.08.2020 at Sree Khokra Devi

Mandir, Kashipur, District Udham Singh Nagar. There is a prima facie proof of

this, which they have annexed to the writ petition. Petitioner no.1

belongs to Hindu religion, whereas petitioner no.2 belongs to â??Majhabi Sikhâ?? religion. Their marriage is being opposed by respondent no.3 who is

father of petitioner no.1. They seek police protection from this Court as they have an apprehension that the private respondent may physically harm them.

Presently this case is being heard through video conferencing, in which both petitioner nos.1 and 2 are presently connected to us. This Court also had an opportunity to interact with them. They seem to be articulate and they both have apprised this Court that they have a threat perception at the hands of the private respondent no.3.

In the interest of justice and in view of the law laid down by the Honâ??ble Apex Court in the case of Lata Singh Vs. State of U.P. and another

reported in (2006) 5 SCC 475 and S. Khushboo vs. Kanniammal and another reported in (2010) 5 SCC 600, as an interim measure, we direct the

Senior Superintendent of Police, Udham Singh Nagar to coordinate with the subordinate officers of Police and give suitable directions to the

concerned SHO, to provide necessary protection to the petitioners as there is a threat perception at the hands of respondent no.3.

Issue notices to respondent no.3. Steps to be taken within a week.

Three weeksâ?? time is granted to the respondents to file counter affidavit.

List this matter on 27.11.2020.

Interim relief application (CLMA No.8094 of 2020) stands disposed.â??

4. Learned Counsel for the petitioners Mr. Mehboob Rahi, has given a statement before this Court, on instructions from his clients, that during the

pendency of the writ petition, better sense has prevailed between the parties and the relation between the parties are amicable and there is no more

threat perception to the petitioners at the hands of the private respondent and now they are living peacefully. The learned Counsel for the petitioners

prays that he may be permitted to withdraw the writ petition.

5. In the counter affidavit as well filed on behalf of the State, this Court has been apprised that on investigation/inquiry, the Police has been informed

that subsequent to the filing of the writ petition, the relation between the petitioners and the private respondent have become cordial and the threat

perception no more survives.

6. In view of the above statement made by the learned counsel for the petitioners, the writ petition is dismissed as withdrawn.

7. Interim order dated 05.10.2020 is hereby vacated.