

(2010) 08 UK CK 0026

In the Uttarakhand High Court

Case No : Criminal Writ Petition No. 686 of 2010

Balvinder Singh and Another

APPELLANT

Vs

State of Uttarakhand and Others

RESPONDENT

Date of Decision : 12-08-2010

Acts Referred:

Constitution of India, 1950 — Article 226

Citation : (2010) 08 UK CK 0026

Hon'ble Judges : Sudhanshu Dhulia, J; Nirmal Yadav, J

Bench : Division Bench

Judgement

1. By way of this writ petition under Article 226 of the Constitution of India, the Petitioners have prayed for issuing a writ in the nature of mandamus commanding the Respondents to provide necessary and adequate protection in order to secure the life and liberty of the Petitioners.

2. The facts revealed from the petition are that both the Petitioners are major and they solemnized the marriage as per the Hindu Rites and Rituals at the house of Petitioner No. 1. The Respondent No. 6 who is the father of the Petitioner No. 2 is not happy with the marriage of the Petitioners. Hence, he alongwith his relatives arrived at the house of the Petitioner No. 1 and tried to convince the Petitioner No. 2 to go with him but the Petitioner No. 2 refused his request, then he became annoyed. He started extending threats to the Petitioners for dire consequences. The Respondent No. 6 in connivance with the Respondents made the life of the Petitioners miserable. Hence, this writ petition.

3. Heard Sri Abhishek Verma, learned Counsel for the Petitioners, Sri S.S. Adhikari, learned A.G.A. for the State/Respondent Nos. 1 to 5 and perused the material available before us.

4. Having considered the submissions raised by learned Counsel for the Petitioner, we are of the view that at this stage no ground to issue any writ in the nature of mandamus to Respondents for providing the adequate security for the

life and liberty of the Petitioners is made out. However, our attention has been invited towards the representations made by the Petitioner No. 2 before S.S.P., U.S. Nagar which are annexed as annexure No. 2 & 3 to the writ petition and on the basis of this it appears that Petitioner No. 2 has already requested S.S.P., U.S. Nagar for providing adequate security. Learned Counsel for the Petitioner has also submitted that no action by the S.S.P., U.S. Nagar has yet been taken. Therefore, we direct S.S.P., U.S. Nagar to take an appropriate action on the representations (annexure Nos. 2 & 3 to the writ petition) made by the Petitioner No. 2 for providing adequate security to the Petitioners from Respondent No. 6.

5. With the aforesaid observation, the petition is disposed of finally.