
(2022) 09 UK CK 0117

In the Uttarakhand High Court

Case No : Writ Petition (CRL) No. 1787 Of 2022

Kapil Kumar Chauhan & Another

APPELLANT

Vs

State Of Uttarakhand & Others

RESPONDENT

Date of Decision : 21-09-2022

Acts Referred:

Citation : (2022) 09 UK CK 0117

Hon'ble Judges : Vipin Sanghi, CJ;R.C. Khulbe, J

Bench : Division Bench

Advocate : D.P. Mittal, Rohit Dhyani

Final Decision : Disposed Of

Judgement

R.C. Khulbe, J

1. In this petition, the petitioners have prayed for the following reliefs:-

“(i.) Issue a writ, order or direction in the nature of mandamus commanding the State-respondent nos.1, 2 and 3 to protect the life and liberty of the petitioners from the respondent nos.4 to 6 and their associates/ relatives by providing police protection to the petitioners and to initiating appropriate action against the private respondents.

(ii.) Issue other suitable writ, order or direction which this Hon’ble High Court may deem fit and proper under the circumstances of the case”.

2. In the present case, both the petitioners belong to the same faith and are major. Both the petitioners were in love and they wanted to marry each other. So they have solemnized their marriage on 23.12.2020 at Arya Samaj, Rudrapur, District Udham Singh Nagar as per Hindu customs (Copy of the marriage certificate is annexed as Annexure No. 2 to the writ petition).

3. The learned counsel for the petitioners submits that the father of petitioner no.1 has already made representation on 11.09.2022 to the Station Officer,

Police Station ITI Kashipur, District Udham Singh Nagar- respondent no.3 for protecting the lives of the petitioners and his family members, a copy whereof is annexed as Annexure No. 4 to this Writ Petition, but nothing has been done as yet. Having been left with no other remedy, the petitioners have filed the present Writ Petition.

4. In that view of the matter, we hereby dispose of the writ petition by directing the Senior Superintendent of Police, District Udham Singh Nagar- respondent no. 2 to take a decision on the representation of the father of petitioner no.1 (Annexure No. 4) within 30 days from today. The Senior Superintendent of Police, District Udham Singh Nagar shall take information and intelligence from the concerned SHO during the course of action whether further police protection is required or not. In the interregnum, the SHO, Police Station ITI Kashipur, District Udham Singh Nagar-respondent no. 3 shall provide necessary police protection for protecting the lives and liberty of the petitioners.

5. In sequel thereto, pending application, if any, also stands disposed of.

6. Urgent certified copy of this order be supplied to the learned counsel for the parties during the course of the day, as per Rules.