
(2022) 06 UK CK 0066

In the Uttarakhand High Court

Case No : Writ Petition (CRL) No. 1164 Of 2022

Muskan And Another

APPELLANT

Vs

State Of Uttarakhand And Others

RESPONDENT

Date of Decision : 20-06-2022

Acts Referred:

Citation : (2022) 06 UK CK 0066

Hon'ble Judges : S.K. Mishra, J; R.C. Khulbe, J

Bench : Division Bench

Advocate : Charanjeet Kaur, J.S. Virk, Rakesh Joshi

Final Decision : Disposed Of

Judgement

S.K. Mishra, J

1. An oral prayer is made on behalf of the learned counsel for the petitioners to make a correction in the array of parties by deleting "Haridwar" from the description of respondent no. 1, and, in its place, insert "Udham Singh Nagar". The prayer is allowed and the amendment is carried out in the Court itself.

2. In this Writ Petition, the petitioners have prayed for the following reliefs :-

"(a) Issue a writ order or direction in the nature of mandamus directing the respondents No.1 & 2 to provide adequate protection to the petitioners from respondent No.3, so that they may live peaceful life.

(b) Issue a suitable writ, order or direction which this Hon'ble Court may deem fit and proper in the circumstances of the present case."

3. 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 left the house and have solemnized their marriage on 25.05.2022 as per Muslim custom (Copy of the Nikahnama is annexed as Annexure No. 1 to the writ petition). The learned counsel for the petitioners submits that the petitioners

have already made a representation on 06.06.2022 before the Senior Superintendent of Police, District Udham Singh Nagar-respondent no. 1 for protecting their lives, 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. 1 to take a decision on the representation of the petitioners (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 Gadarpur, District Udham Singh Nagar-respondent no. 2 shall provide necessary police protection for protecting the lives and liberty of the petitioners.

5. Let a free copy of this order be immediately handed over to Mr. J.S. Virk, the learned Deputy Advocate General for the State of Uttarakhand, for early compliance.

6. The Writ Petition is, hereby, disposed of.

In sequel thereto, all pending applications stand disposed of.

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