

(2023) 01 UK CK 0109

In the Uttarakhand High Court

Case No : Criminal Writ Petition No. 132 Of 2023

Nikki Kaur & Another

APPELLANT

Vs

State Of Uttarakhand & Others

RESPONDENT

Date of Decision : 18-01-2023

Acts Referred:

Citation : (2023) 01 UK CK 0109

Hon'ble Judges : Ravindra Maithani, J

Bench : Single Bench

Advocate : Mohit Kumar, KM Meenu

Final Decision : Disposed Of

Judgement

Ravindra Maithani, J

1. The petitioners have approached this Court seeking protection so that they may lead a peaceful life.
2. Heard learned counsel for the petitioners and perused the record.
3. According to the petition, both the petitioners got married on 14.01.2023 at Arya Samaj Hamidpur, District Bijnor, but the respondent nos.4, 5 and 6, who are the father, brother and uncle of the petitioner no.1 are not happy with the marriage and they are threatening the petitioners.
4. Both, petitioner no.1- Nikki Kaur and petitioner no.2-Amar Jeet are present before this Court. They would submit that they are married.
5. Be it as it may, according to the petitioners, both are major. They have filed the documents in support of their age. According to them, they are staying together.
6. In the case of Lata Singh vs. State of U.P. and Another, (2006) 5 SCC 475, Hon'ble Supreme Court directed as hereunder:-

17.We, therefore, direct that the administration/police authorities throughout the country will see to it that if any boy or girl who is a major undergoes inter-caste or inter-religious marriage with a woman or man who is a major, the couple is not harassed by anyone nor subjected to threats or acts of violence, and anyone who gives such threats or harasses or commits acts of violence either himself or at his instigation, is taken to task by instituting criminal proceedings by the police against such persons and further stern action is taken against such persons as provided by law."

7. This Court reminds Senior Superintendent of Police, District Udham Singh Nagar the mandate of law, as laid down by the Hon'ble Supreme Court in the case of Lata Singh (supra), who shall ensure the compliance thereof.

8. With the above observation, the instant writ petition stands disposed of.