
(2023) 04 UK CK 0012

In the Uttarakhand High Court

Case No : Writ Petition (Criminal) No. 457 Of 2023

Pooja

APPELLANT

Vs

State Of Uttarakhand & Others

RESPONDENT

Date of Decision : 06-04-2023

Acts Referred:

Citation : (2023) 04 UK CK 0012

Hon'ble Judges : Vipin Sanghi, CJ;Alok Kumar Verma, J

Bench : Division Bench

Advocate : Akshay Latwal, Nikhil Bisht, Rakesh Kumar Joshi

Final Decision : Disposed Of

Judgement

Vipin Sanghi, CJ

1) The petitioner has preferred the present petition to seek a direction to the respondent authorities to provide her protection, as she apprehends harm from respondent Nos. 4 to 6.

2) The case of the petitioner is that respondent Nos. 5 and 6 are her cousin (Bua's daughter), and respondent No. 4 is the husband of respondent No. 5. She claims that respondent Nos. 4, 5 and 6 have assaulted her. She has made a complaint in relation to sexual harassment caused to her by respondent No. 4 in connivance of respondent Nos. 5 and 6. She claims that she has fled from Gurugram (Haryana), where the said private respondents are residing to reside at Nainital with Manish Tomar, who is the husband of respondent No. 6. She is a major, and she is entitled to lead her life in the manner she desires. In support of her plea, that she is major, she has placed on record her school certificate, which records her date of birth as 03.10.2000.

3) Since the petitioner is major, she is entitled to take her own decisions in relation to her personal life, and no person has any right to interfere with the same, or cause any harm to the petitioner for the decisions she may have taken.

4) We, therefore, dispose of this petition with a direction to the S.H.O., P.S. Mallital, District Nainital, to make an assessment of the threat perceived by the petitioner from respondent Nos. 4 to 6, and to make arrangements for her safety and security, as are called for. We, however, make it clear that we have not examined any other aspect in the matter, and this order shall not be used by the petitioner in any other proceedings before any court or forum, whether initiated by her, or by any other person.

5) The petition stands disposed of in the aforesaid terms.