
(2022) 12 UK CK 0047

In the Uttarakhand High Court

Case No : Writ Petition (CRL) No. 2340 Of 2022

Saiba Malik And Another

APPELLANT

Vs

State Of Uttarakhand And Others

RESPONDENT

Date of Decision : 14-12-2022

Acts Referred:

Citation : (2022) 12 UK CK 0047

Hon'ble Judges : Vipin Sanghi, CJ; Manoj Kumar Tiwari, J

Bench : Division Bench

Advocate : Rajveer Singh, Rakesh Kumar Joshi

Final Decision : Disposed Of

Judgement

Vipin Sanghi, CJ

1. Issue notice.
2. Mr. Rakesh Kumar Joshi, the learned Brief Holder for the State of Uttarakhand, appears and accepts notice on behalf of respondent nos. 1 and 2.
3. The petitioners have preferred the present Writ Petition to seek a direction to the respondent-authorities to provide protection to them from any threats, coercion or harm, which may come from respondent no. 3.
4. Petitioner no. 1 belongs to the Muslim religion. Her date of birth, as per the High School Examination Marksheet, is 06.09.2003. Therefore, she is a major. Petitioner no. 2 is Hindu by religion, and he is a major too.
5. The petitioners are present, and they state that they are living together since August, 2022. Petitioner no. 1 states that she wishes to get married to petitioner no. 2. Their alliance is not acceptable to respondent no. 3, the father of petitioner no. 1. The petitioner states that respondent no. 3 has attempted to cause harm to the petitioners.
6. Since both the petitioners are major, they are entitled to take their own

decisions, with regard to the person, with whom they wish to co-habit. Neither respondent no. 3, nor any other person, is entitled to interfere with their lives.

7. We, therefore, dispose of this Writ Petition, with a direction to respondent nos. 1 and 2 to make an assessment of the threat perceived by the petitioners from respondent no. 3, or any other relative of petitioner no. 1, and to provide adequate protection to the petitioners from any threat, coercion or harm, which may come from respondent no. 3, or any other person. Accordingly, we direct the Station House Officer, Police Station Kaliyar Sarief, District Haridwar, to counsel respondent no. 3 not to take law into his own hands.

8. Consequently, pending applications, if any, also stand disposed of.

9. A certified copy of this order be provided to the learned counsel for the parties by the end of the day.