

(2011) 03 UK CK 0042

In the Uttarakhand High Court

Case No : Criminal Writ Petition No. 132 of 2011

Smt. Manpreet Kaur and Another

APPELLANT

Vs

State of Uttarakhand and Others

RESPONDENT

Date of Decision : 01-03-2011

Acts Referred:

Constitution of India, 1950 — Article 226

Citation : (2011) 03 UK CK 0042

Hon'ble Judges : Sudhanshu Dhulia, J; Nirmal Yadav, J

Bench : Division Bench

Judgement

Nirmal Yadav, J.—Heard Sri D.C.S. Rawat, learned Counsel for the Petitioners and Sri Prabhakar Joshi, learned Brief Holder for the State of Uttarakhand.

2. By way of this writ petition filed under Article 226 of the Constitution of India, the Petitioners have prayed for issuing a writ in the nature of Mandamus directing the Respondent Nos. 1 to 4 to safeguard the life and liberty of the Petitioners.

3. Brief facts of the case are that the Petitioners are major and they solemnized the marriage on 05.02.2011 at Arya Samaj Mandir, Sukratal, Muzaffarnagar. The marriage certificate issued by Arya Samaj Mandir, Sukratal, Muzaffarnagar and their High School certificates are annexed as annexure Nos. 2 and 1 respectively to the petition. Respondent Nos. 5 and 6, who are father and maternal uncle of Petitioner No. 1, have become annoyed with the marriage of the Petitioners. Hence, they started extending threats to the Petitioners and creating troubles in their life. The Respondents No. 5 and 6 in connivance with the Respondent Nos. 2 to 4, made the life of the Petitioners miserable. Hence, this writ petition.

4. Having considered the submissions raised by learned Counsel for the parties, we are of the view that it is not a case in which a writ in the nature of Mandamus can be issued at this stage. However, we direct that in case, Petitioners move the representation before the Respondent No. 3 i.e. S.S.P., Udham Singh Nagar for

providing the adequate security from Respondent Nos. 5 and 6, the S.S.P., Udham Singh Nagar after assessing the entire situation at the spot, shall do the needful in the matter.

5. With the aforesaid observation, the petition is disposed of finally.

6. Registry is directed to supply the copy of this order today to the learned Counsel for the Petitioners on payment of usual charges.