

(2010) 05 UK CK 0076

In the Uttarakhand High Court

Case No : Writ Petition (Criminal) No. 365 of 2010

Smt. Monika Arya and another

APPELLANT

Vs

State of Uttarakhand and others

RESPONDENT

Date of Decision : 21-05-2010

Acts Referred:

Constitution of India, 1950 — Article 226

Citation : (2010) 2 UC 777

Hon'ble Judges : Nirmal Yadav, J;B.C.Kandpal, J

Bench : Division Bench

Advocate : Neetu Singh, for the Appellant; Nandan Arya, learned AGA for the State of Uttarakhand/ Respondents No. 1 and 2, for the Respondent

Judgement

1. By way of this writ petition under Article 226 of the Constitution of India, the Petitioners have prayed issuing a writ in the nature of Mandamus commanding the Respondent Nos. 1 and 2 to provide protection of life and liberty to the Petitioners.

2. Facts mentioned in the writ petition reveals that both the Petitioners have married on 08.06.2009 in a temple at Nagina and thereafter, their marriage was registered before the Registrar, Hindu Marriage, Dhampur, Bijnor on 12.06.2009. Copy of marriage certificate is being annexed as Annexure No. 2 to the writ petition. As Respondent Nos. 3 to 5, who are relative of the Petitioner No. 1 could not relish with the marriage of the Petitioners, hence, they are extending threat to the Petitioners for involving them in a criminal case, which has made life of the Petitioners miserable, hence, this petition.

3. Heard Learned Counsel for the parties. 2

4. Having considered the submission raised by Learned Counsel for the parties, we are of the view that at this stage no writ of Mandamus commanding the Respondents for providing protection to the Petitioners can be issued. However, we direct the Respondent No. 1 i.e. Senior Superintendent of Police, Pauri

Garhwal to the consider the matter and do the needful in order to provide protection to the Petitioners, as and when, representation is made by the Petitioners before him.

5. With this observation, writ petition is disposed of.