

IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

SRI JUSTICE VIPIN SANGHI, C.J.

AND

SRI JUSTICE R.C. KHULBE, J.

29th JULY, 2022

WRIT PETITION (CRL) No. 1473 OF 2022

Between:

Smt. Sheetal Kashyap and anotherPetitioners

and

State of Uttarakhand and others.Respondents

Counsel for the petitioners : Mr. Ram Nivas Singh Rana, learned counsel.

Counsel for the respondents : Mr. J.S. Virk, learned Deputy Advocate General with Mr. R.K. Joshi, learned Brief Holder for the State of Uttarakhand.

Upon hearing the learned Counsel, the Court made the following

JUDGMENT : (per Sri R.C. Khulbe, J.)

In this petition, the petitioners have prayed for the following reliefs: -

"A) Issue a writ, order or direction in the nature of Mandamus commanding and directing the respondent no. 1, 2 & 3 to provide the police protection to the petitioners and also direct to see, the couple are not harassed by anyone nor subjected to threats or acts of violence due to their marriage.

B) To pass a suitable writ, order or direction in favour of petitioners which this Hon'ble Court deem fit and proper in the circumstances of the present case."

2. In the present case, both the petitioners belong to the same faith and are major. Both the petitioners were in

love and they wanted to marry each other. So they have solemnized their marriage on 28.12.2021 as per Hindu customs (Copy of the marriage certificate is annexed as Annexure No. 1 to the writ petition).

3. The learned counsel for the petitioners submits that the petitioners have already made a representation on 26.07.2022 before the Senior Superintendent of Police, District Haridwar- respondent no. 2 for protecting their lives, a copy whereof is annexed as Annexure No. 3 to this Writ Petition, but nothing has been done as yet. Having been left with no other remedy, the petitioners have filed the present Writ Petition.

4. In that view of the matter, we hereby dispose of the writ petition by directing the Senior Superintendent of Police, District Haridwar- respondent no. 2 to take a decision on the representation of the petitioners (Annexure No. 3) within 30 days from today. The Senior Superintendent of Police, District Haridwar shall take information and intelligence from the concerned SHO during the course of action whether further police protection is required or not. In the interregnum, the SHO, Police Station Kotwali Laksar, District Haridwar-respondent no. 3 shall provide necessary police protection for protecting the lives and liberty of the petitioners.

5. In sequel thereto, pending application, if any, also stands disposed of.

6. Let a free copy of this order be immediately handed over to Mr. J.S. Virk, the learned Deputy Advocate General for the State of Uttarakhand, for early compliance.

7. Urgent copy of this order be supplied to the learned counsel for the parties during the course of the day, as per Rules.

VIPIN SANGHI, C.J.

R.C. KHULBE, J.

Dt: 29th July, 2022
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