

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

**HON'BLE THE CHIEF JUSTICE SHRI VIPIN SANGHI
AND**

HON'BLE JUSTICE SHRI ALOK KUMAR VERMA

31ST MARCH, 2023

WRIT PETITION (CRIMINAL) NO.499 OF 2023

Shri Salman Khan & Another Petitioners

Vs.

State of Uttarakhand & Others Respondents

Counsel for the Petitioners : Mr. Abhishek Sati,
Advocate.

Counsel for the Respondent : Mr. J.S. Virk, Deputy
Nos.1 to 4. Advocate General.

***Upon hearing the learned counsel for the parties, this
Court made the following judgment :***

(Per : Shri Alok Kumar Verma, J.)

This Writ Petition has been filed seeking a direction to the respondent nos.5 to 10 not to cause any disturbance in the marital life of the petitioners, and to issue a direction to the respondent nos.1 to 4 to provide adequate police protection to them from respondent nos.5 to 10.

2. The case of the petitioners is that they belong to different faith. According to the petitioner no.1, he is a

Muslim by birth, but, he has adopted Hindu Sanatan Religion. Petitioner no.2 is a Hindu by religion. They are major. Against the wishes of private respondents, father of the petitioner no.2 and his family members, they married each other with their free will at Arya Samaj Mandir, Delhi. Their marriage has been registered in the office of Registrar Compulsory Registration of Marriages, Dehradun Uttarakhand, which is annexed as Annexure No.4 to this writ petition. The family members of petitioner no.2 refused to accept this relation.

3. As per the Aadhar Card of petitioner no.1, and High School Certificate & Aadhar Card of petitioner no.2, annexed to this writ petition, petitioners are major. Petitioners are present in-person before this Court. They have apprised that they have threat perception at the hands of the private respondent nos.5 to 10, who are father, mother, sister, maternal uncle, maternal aunt and cousin of petitioner no.2 respectively.

4. We do not say anything about the proposed marriage of the petitioners. But, it is also to be noted that no one can be allowed to take law in their hands.

5. In view of above, we direct the petitioners to move a representation before the Senior Superintendent of Police, Dehradun, for adequate safety and security within a week from today.

6. In that view of the matter, we hereby dispose of the writ petition by directing the Senior Superintendent of Police, Dehradun, respondent No. 2, to take a decision on the representation of the petitioners within 30 days from the date of receipt of the representation, if the petitioners move a representation before the Senior Superintendent of Police, Dehradun within a week from today. Thereafter, the Senior Superintendent of Police, Dehradun shall take information and intelligence from the concerned Station House Officers during the course of action whether police protection is required or not. In the interregnum, respondent nos.3 & 4, the Station House Officers concerned, shall provide necessary police protection for protecting the lives and liberty of the petitioners.

7. Interim Relief Application (IA No. 01 of 2023) also stands disposed of.

8. 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.

ALOK KUMAR VERMA, J.

Dated: 31.03.2023
JKJ/Pant