

**Court No. - 10**

**Case :-** CRIMINAL MISC. WRIT PETITION No. - 3325 of 2023

**Petitioner :-** Smt. Mohini And Another

**Respondent :-** State Of U.P. Thru. Prin. Secy. Home, U.P. Lko. And Others

**Counsel for Petitioner :-** Sanjay Kumar Verma

**Counsel for Respondent :-** G.A.

**Hon'ble Mrs. Sangeeta Chandra,J.**

**Hon'ble Narendra Kumar Johari,J.**

Heard learned counsel for the petitioners and learned A.G.A. who appears on behalf of the State-respondents and perused the record.

This petition has been filed by the petitioners with a prayer to issue a writ, order or direction in the nature of Mandamus commanding and directing the opposite parties no. 1 to 3 not to harass the petitioners on the behest of opposite party no. 4 and to ensure protection of lives of the petitioners.

It has been alleged that both the petitioners are major and have married with each other out of their own free will. The age of petitioner no.1 is about 22 years as per Aadhar Card, copy of which is annexed as Annexure-3 to the writ petition, according to which her date of birth is 1.01.2002. There is no first information report lodged against the petitioners till date.

Learned counsel for the petitioners has relied upon the law laid down in paragraph 17 of **Lata Singh Vs. State of U.P. and another, 2006 (5) SCC 475** which reads as under:-

*"17..... We, therefore, direct that the administration/police authorities throughout the country will see to it that if any boy or girl who is a major undergoes inter-caste or inter-religious marriage with a women or man who is a major, the couple is not harassed by anyone nor subjected to threats or acts of violence, and anyone who gives such threats or harasses or commits acts of violence either himself or at his instigation, is taken to task by instituting criminal proceedings by the police against such persons and further stern action is taken against such persons as provided by law."*

The petition is, therefore, **disposed** of with a direction to the respondents not to interfere in peaceful life and liberty of the petitioners in any manner.

It is made clear that if any F.I.R. is already registered on the issue, the order passed by this Court shall automatically stands discharged.

**Order Date :-** 28.4.2023

**AKK**