



2025:UHC:3295-DB

IN THE HIGH COURT OF UTTARAKHAND

AT NAINITAL

HON'BLE THE CHIEF JUSTICE SRI G. NARENDAR

AND

HON'BLE SRI JUSTICE ALOK MAHRA

WRIT PETITION (CRL) NO. 386 OF 2025

30TH APRIL, 2025

Kajal Kashyap & anotherPetitioners.

Versus

State of Uttarakhand & othersRespondents.

Counsel for the Petitioners : Ms. Manju Bahuguna, learned counsel.

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

The Court made the following:

JUDGMENT: (per Hon'ble The Chief Justice Sri G. Narendar)

Heard learned counsel for the petitioners, and learned Deputy Advocate General for the State of Uttarakhand.

2. It is submitted that both the petitioners belong to the same community, and that the petitioners developed a liking for each other, which has ended in marriage, and now both the petitioners are living together. Since the family members and others relatives of the first petitioner are against this marriage, they are giving out threats to kill both the petitioners. Petitioners submit that they are facing stiff resistance, and they seriously apprehend threat to their life and limb from the family and other relatives of the first



petitioner, and hence they are before this Court praying for protection.

3. The documents on record reveal that both the petitioners are majors, and it is also submitted by the learned Deputy Advocate General for the State that the parties have performed their marriage. The petitioners have also placed on record photographs as Annexure-2.

4. In that view of the matter, and in view of the ruling of the Hon'ble Supreme Court in the case of ***Lata Singh v. State of U.P. and another, (2006) 5 SCC 475***, the petitioners have made out a case for grant of protection.

5. The Station House Officer, Police Station Transit Campt, District Udham Singh Nagar is directed to assess the threat, if any, to the life and limb of the petitioners, and provide necessary protection, if it is found that there is a threat to the life and limb of the petitioners. The SHO is further directed to summon the private respondents, and such other persons, who are inimically placed towards the marriage of the petitioners, and counsel them, in accordance with law.

6. The Writ Petition stands ordered accordingly.



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7. Pending application, if any, also stands disposed of.

(G. NARENDAR, C.J.)

(ALOK MAHRA, J.)

Dated: 30th April, 2025

NISHANT