

Court No. - 37

Case :- WRIT - C No. - 35582 of 2023

Petitioner :- Smt Prachi Rani And Another

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Surendra Pal, Anil Kumar Prajapati

Counsel for Respondent :- C.S.C.

Hon'ble Manoj Bajaj, J.

Petitioners have filed this writ petition under Article 226 Constitution of India for issuance of a writ in the nature of mandamus by way of directions to the official respondent no.2 to provide protection to them, as they have performed marriage on 27.04.2023 against the wishes of respondent no.4-father of petitioner no.1 and apprehend threat to their life.

Learned counsel for the petitioner submits that the petitioners are known to each other for last several years being family friends and they had developed love and affection for each other, therefore, they decided to marry, but their alliance was opposed by the respondent no. 4- father of the petitioner no. 1. Learned counsel for the petitioner further submits that as the parents of the petitioner no. 1 did not agree for this marriage, so they performed the marriage voluntarily and with their free consent on 27.04.2023. According to him, ever since their marriage, the petitioners are living together, but they apprehended threat to their life as respondent no. 4 in connivance with the police is threatening the petitioners. Learned counsel has invited the attention of the Court to the application dated 07.10.2023 submitted before Police Commissioner, District Pilibhit and submitted that the petitioners made a request that no illegal action be taken against them, but no action has been taken upon their request, therefore, they have

approached this Court for issuance of necessary directions.

After hearing learned counsel for the parties and considering the submissions, this Court finds that the petitioners are employed in the State of Himachal Pradesh and are residing there, and further, there is nothing on record to indicate that any threat, much less by respondent no. 4 was ever extended to the petitioners. Apart from it, the affair of the petitioners is more than two years old and even the family members of both the petitioners are friends who are aware of their alliance, but during such period, no threat whatsoever was extended to the petitioners. Besides, a perusal of the representation dated 07.10.2023 shows that it contains bald averments against respondent no. 4- father of the petitioner no. 1 who is also having support of local police, but the said averment is again without any particulars, i.e., the alleged manner and mode of threat.

The petition as well as the averments in the representation do not inspire confidence, therefore, this Court is not inclined to exercise extraordinary writ jurisdiction under Article 226 of the Constitution of India.

The petition is ***dismissed***.

Order Date :- 1.11.2023

Vipasha