

Court No. - 85

Case :- WRIT - C No. - 36599 of 2023

Petitioner :- Smt. Poonam And Another

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

Counsel for Petitioner :- Raju Kanaujia

Counsel for Respondent :- C.S.C

Hon'ble Mayank Kumar Jain,J.

1. Heard Sri Amlesh Kumar Yadav, Advocate holding brief of Sri Raju Kanaujia, learned counsel for the petitioners and Sri Ashwini Kumar Tripathi, learned Additional C.S.C. for the State respondents.

2. By means of the present writ petition, the petitioners have prayed for a direction in the nature of mandamus commanding and directing the respondent no. 4 not to harass them and interfere in their peaceful living with his own free will and choice and further commanding and directing the respondent nos. 2 and 3 to protect the life of the petitioners from respondent no. 4.

3. It is submitted that petitioner no. 1 and petitioner no. 2 are major as per their Aadhar cards and they are living together in live-in relationship, they are threatened by respondent no. 4 into their peaceful living. Therefore, respondent no. 4 may directed not to interfere in the peaceful living of the petitioners.

4. Per contra, learned Standing Counsel submitted that petitioner no.1 is already married, but no document about dissolution of marriage is filed. Moreover, the case of the petitioner is squarely covered by judgement of this Court passed in Criminal Misc. Writ Petition No. 3310 of 2023, **Kiran Rawat And Another Vs. State of U.P. Thru. Secy. Home, Lko. And Others**, reported in **2023 SCC Online All 323**.

5. In the present writ petition, petitioner no.1 is Hindu by religion and petitioner no.2 is Muslim by religion, therefore ratio of the judgement passed in **Kiran Rawat (supra)** is applicable to the present writ petition.

6. Hence, this writ petition is accordingly **dismissed**.

Order Date :- 29.11.2023

Saif