

Court No. - 85

Case :- WRIT - C No. - 37136 of 2023

Petitioner :- Smt Jyoti @ Jainam And Another

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

Counsel for Petitioner :- Pankaj Pandey

Counsel for Respondent :- C.S.C.

Hon'ble Mayank Kumar Jain,J.

Heard learned counsel for the petitioners and learned Standing Counsel for the State respondents.

By means of the present writ petition, the petitioners have prayed for a direction in the nature of mandamus commanding and directing the respondent nos. 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.

It is submitted that petitioner nos. 1 and 2 are major and their date of births are 01.01.2002 and 01.01.1992 respectively according to their Aadhar cards. They have performed their marriage with each other on 16.05.2023 but they are threatened by respondent nos. 4 into their peaceful living. Therefore, respondent no. 4 may be directed not to interfere in the peaceful living of the petitioners.

Per contra, learned Standing Counsel submitted that petitioner no. 1 is a Muslim girl and petitioner no.2 is Hindu and no document for valid conversion is on record, therefore, this matter 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**.

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

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

Order Date :- 2.12.2023

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