

Court No. - 45

Case :- WRIT - C No. - 37482 of 2023

Petitioner :- Aksha Fatima And Another

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

Counsel for Petitioner :- Rajnath Ydav

Counsel for Respondent :- CSC

Hon'ble Vinod Diwakar,J.

1. Heard Shri Rajnath Yadav, learned counsel for the petitioners and learned Additional Chief Standing Counsel for the State.

2. Present petition has been filed by the petitioners claiming protection of their lives and liberty as they are living together in live-in-relationship. The averments made in the petition are supported by the joint affidavit of the petitioners. Further, it is stated that private respondent and other family members have got annoyed and there is serious danger to the lives of the petitioners as they are being threatened and harassed.

3. Learned counsel for the petitioners submits that petitioners are major, as per High School mark sheet, the date of birth of petitioner no. 1 is 07.12.2004 and as per Aadhar Card date of birth of petitioner no. 2 is 01.01.2003. Thus, it appears from the record that both the petitioners are major.

4. The petitioners have averred in the writ petition that they are living in live-in-relationship. It is stated that they have apprehension that private respondent can eliminate them for the honour of her family. In case this Court does not grant them protection, their lives may be endangered.

5. Without going into the validity of the marriage, this Court is of the view that when any citizen apprehend threat to their life and property, can always seek protection from the Police. In the same manner, the petitioners are also entitled to the protection, in case, the petitioners apprehend threat to their life and property, the concerned S.H.O. shall provide all assistance as may be necessary under law on their request.

6. With the aforesaid findings, the writ petition is disposed of.

Order Date :- 7.11.2023 / RKM