

Court No. - 45

Case :- WRIT - C No. - 38325 of 2023

Petitioner :- Smt. Aleesha And Another

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Faizan Habeeb, Shahabuddin

Counsel for Respondent :- C.S.C.

Hon'ble Vinod Diwakar, J.

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

2. By means of the present writ petition, the petitioners have prayed for a direction in the nature of mandamus directing the respondents not to harass & humiliate the petitioners as the petitioner nos.1 and 2 are leading matrimonial life and performing their duties towards each other, otherwise the petitioners shall suffer irreparable loss and injury and further be pleased to direct the respondents not to interfere in their peaceful married life with his own free will and choice and further directing the respondent no.2 to protect the life of the petitioners from respondent no.3.

3. Learned counsel for the petitioners states that both the petitioners are major as per High School Certificate, the date of birth of petitioner no.1 is 25.12.2000 and petitioner no.2 is 15.07.1994. He further submits that petitioner no.1 has married to petitioner no.2 as per Muslim Rites and Traditions on 24.10.2021 in a mosque at Kundarki (Nikahnama), copy of which is annexed as Annexure-3 to this petition. Counsel for the petitioners has also invited the attention of the Court to Annexure No.4 to the petition, wherein they have applied for registration of their marriage vide Application No.202226700063.

4. 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.

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

Order Date :- 7.11.2023

RKM