

Court No. - 9

Case :- CRIMINAL MISC. WRIT PETITION No. - 4363 of 2023

Petitioner :- Smt. Neelam Verma And Another

Respondent :- State Of U.P. Thru. Prin. Secy. Home Lko. And Others

Counsel for Petitioner :- Arvind .Ku.Mishra,Ram Bhawan Yadav,Vikas Pandey

Counsel for Respondent :- G.A.

Hon'ble Rajnish Kumar,J.

Hon'ble Umesh Chandra Sharma,J.

Heard learned counsel for the petitioners and learned A.G.A.

This petition has been filed for a writ of mandamus commanding the opposite party nos. 2 and 3 to provide adequate protection to the petitioners from harassment of opposite party no.4. A further prayer has been made for a direction to the opposite party no.4 not to disturb the peaceful married life of the petitioners.

Submission of learned counsel for the petitioners is that the petitioners are major in age and they have solemnized their marriage with their Sweet Will and residing together as husband and wife. The marriage certificate is annexed as Annexure No.1 to the petition. Submission is that there is apprehension that since the family members of the petitioner no.1 are not happy with the marriage, therefore they may harm the petitioners. Further submission is that in view of the judgment of the Hon'ble Supreme Court in the case of *Lata Singh versus State of U.P. and Anr.;AIR 2006 5 SCC 475*, the petitioners being major are free to live together and nobody can interfere in their life, which is not disputed by learned A.G.A. However, the petition has been filed merely on apprehension. Even otherwise, if there is any harassment or threat to the petitioners, they have a remedy under Sections 154, 156(3) and 200 of the Code of Criminal Procedure, which may be availed by them in accordance with law.

Dismissed accordingly.

(Umesh Chandra Sharma,J.) (Rajnish Kumar,J.)

Order Date :- 7.6.2023

Akanksha