

Court No. - 9

Case :- CRIMINAL MISC. WRIT PETITION No. - 4388 of 2023

Petitioner :- Vinita And Another

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

Counsel for Petitioner :- Shubh Prakash
Srivastava, Manuvendra Singh

Counsel for Respondent :- G.A.

Hon'ble Rajnish Kumar, J.

Hon'ble Umesh Chandra Sharma, J.

Heard learned counsel for the petitioners and learned AGA.

The petition has been filed for a direction to opposite party nos.1 to 4 to protect the life and liberty of the petitioners and for a direction that the petitioners may not be harassed by the respondents.

Submission of learned counsel for the petitioners is that petitioners are major in age and they have solemnized their marriage on their sweet free will and are living together as husband and wife and they have apprehension that the family members of the petitioner no.1 may harass the petitioners, whereas the petitioners are entitled to live together peacefully in view of the judgment of Hon'ble the Supreme Court in the case of **Lata Singh vs. State of U.P. and another; 2006 (5) SCC 475**.

Learned AGA, on the basis of instructions, does not dispute that the petitioners are major and that they have solemnized marriage on 29.05.2023. It has further been submitted that as on date today no First Information Report has been lodged against

the petitioners and the Police is also not harassing the petitioners in any manner. She also does not dispute that the petitioners are free to live together peacefully as per law laid down by the Apex Court in the case of **Lata Singh (supra)**.

In view of the above, this writ petition has been filed merely on apprehension and as per the instructions of learned AGA also nobody is harassing the petitioners, therefore, this writ petition is not maintainable. Even otherwise, in case the petitioners are harassed or threatened, they have remedy under Sections 154, 156(3) and 200 of the Code of Criminal Procedure, 1973, which may be availed by them, in accordance with law.

With the aforesaid, the writ petition is **disposed of**.

Order Date :- 7.6.2023

Arnima