

Court No. - 2

Case :- CRIMINAL MISC. WRIT PETITION No. - 4864 of 2023

Petitioner :- Shaheen Fatima And Another

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

Counsel for Petitioner :- Harish Chandra Yadav

Counsel for Respondent :- G.A.

Hon'ble Rajan Roy,J.

Hon'ble Syed Qamar Hasan Rizvi,J.

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

By means of this writ petition the petitioners have prayed for issuance of a writ, order or direction in the nature of mandamus directing the opposite parties to protect the peaceful matrimonial life of petitioners in view of case of Lata Singh vs. State of U.P. and another reported as (2006) 5 SCC 475.

The contention of the learned counsel for the petitioners is that both the petitioners no. 1 and 2 are major and they have married each other of their own volition on 12.05.2023. He has invited our attention to Nikahnama which is annexed as Annexure No. 1 to the writ petition. As the marriage was against the wishes of the family members, therefore, it is alleged that the Police is harassing them at their instance.

Considering the facts of the case, the writ petition is **disposed of** with the observation that if the petitioners are not wanted in any criminal case and they were of the age of majority on the date of marriage then the police shall not unnecessarily harass them. It is, however, made clear that the Court has neither entered into nor adjudicated the age of the petitioners nor the validity of their alleged marriage.

Order Date :- 23.6.2023

Shravan