

**Court No. - 9**

**Case :-** CRIMINAL MISC. WRIT PETITION No. - 8322 of 2023

**Petitioner :-** Smt. Rubi Khatun And Another

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

**Counsel for Petitioner :-** Kaushal Kishore Tewari

**Counsel for Respondent :-** G.A.

**Hon'ble Rajan Roy,J.**

**Hon'ble Ajai Kumar Srivastava-I,J.**

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

The petitioners no. 1 and 2 are present in person before  
the Court and have been identified by the learned counsel  
for the petitioners.

Petitioners claim to have married each other of their own  
volition and also claim that on the date of their marriage,  
they were of the age of majority. Petitioners have annexed  
High School Certificates and Nikahnama as Annexures 1  
and 3 in this regard as proof of age and marriage. He  
further says that there is no F.I.R. against the petitioners  
and they are not wanted in any criminal case yet the police  
is harassing them at the behest of family members who are  
not agreeable to the marriage. Therefore, this petition has  
been filed seeking a writ of mandamus directing the  
opposite parties not to interfere in peaceful married life of  
the petitioners.

In view of the above, it is provided that if the petitioners  
have married each other and are living together, were of  
the age of majority on the date of their marriage and they  
are not wanted in any criminal case then the police shall  
not unnecessarily interfere in their peaceful married life. It  
is however made clear that this Court has not entered into  
nor adjudicated the age of the petitioners nor veracity/  
validity of the alleged marriage.

Accordingly, the writ petition is ***disposed of***.

**(Ajai Kumar Srivastava-I,J.) (Rajan Roy,J.)**

**Order Date :-** 28.10.2023

**Mahesh**