

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 9488 of 2023

Petitioner :- Khushboo Alias Khusnuda Khatun
And Another

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

Counsel for Petitioner :- Rakesh K. Tripathi

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Narendra Kumar Johari,J.

(1) Heard learned counsel for the petitioners and learned A.G.A. who appears on behalf of the State Respondents.

(2) This petition has been filed with the following main prayer:-

"I. issue a writ, or direction in the nature of MANDAMUS commanding the opposite party no.1 and 2 to take necessary action against the opposite party no.3 who is harassing the petitioner and the family members of the petitioner no.2 on the behest of the opposite party no.4 in the interest of justice."

(3) It has been submitted by the learned counsel for the petitioners that both the petitioners are major and have married each other out of their own sweet will. However, the respondent no.4 got annoyed with the marriage and has approached the Police Station Kotwali Dehat, District Hardoi and the Police Personnel are harassing the petitioners, therefore, this petition has been filed.

(4) Learned A.G.A. has produced before this Court instructions sent by Sri Ghanshyam Singh, Sub Inspector, P.S. Kotwali Dehat, Hardoi.

(5) From a perusal of the said instructions, it has come out that no Police personnel is harassing the petitioners in any manner as there is no F.I.R. lodged in the matter.

(6) This Court having gone through the contents of the writ petition finds no good ground to show interference.

(7) However, this petition is ***disposed of*** with a direction that in case petitioners are in any manner threatened by the respondent no.4, they may file an application under Section 154(2) or 154(3) of the Cr.P.C. before the Police Station/Superintendent of Police concerned, or move an application under Section 156 (3) before the Magistrate concerned or file a complaint case under Section 200 of the Cr.P.C. before the authorities concerned.

(8) It is made clear that by passing this order, this Court is not validating the marriage of the petitioners.

Order Date :- 15.12.2023
Rahul