



HON'BLE THE ACTING CHIEF JUSTICE SRI MANOJ KUMAR TIWARI
AND
HON'BLE SRI JUSTICE VIVEK BHARTI SHARMA

14TH NOVEMBER, 2024

Versus

Counsel for the petitioners : Mr. Vivek Shukla, learned counsel through video conferencing and Mr. Bhuwanesh Joshi, learned counsel

Counsel for the respondents : Mr. K.S. Bora, learned Deputy Advocate General with Mr. J.P. Kandpal, learned Brief Holder for the State of Uttarakhand / respondent Nos. 1 to 3

The Court made the following:

JUDGMENT: (per Hon'ble The Acting Chief Justice Sri Manoj Kumar Tiwari)

Petitioners have approached this Court for protection. According to them, due to their inter-caste marriage against the wish of the parents and family members of petitioner No. 1, they are annoyed, and are extending threats to both the petitioners.

2) Both the petitioners appear before us virtually. We have interacted with them.



3) Petitioner no. 1 stated that he is engaged in a chemical business and deals with a substance known as 'carbide', and he has taken a factory on rent, which is used as a warehouse for storing the chemical. He apprised that he is Post Graduate in Commerce. Petitioner no. 2. stated that she had completed MBA, and presently she is pursuing B.Ed. course from Phoenix College, Roorkee.

4) As per the documents enclosed with the writ petition, both the petitioners are major. The certificate of registration of marriage issued by the Registrar, Compulsory Registration of Marriages, Roorkee-1, Haridwar is enclosed as Annexure-1 to the writ petition. As per the said document, the marriage between the petitioners was solemnized on 14.02.2024.

5) Learned State Counsel submits that since both the petitioners are major as per the documents brought on record, therefore, he has no objection if protection is granted to them.

6) Since both the petitioners have voluntarily entered into matrimonial alliance, therefore, in view of law laid down by Hon'ble Supreme Court in the case of *Lata Singh vs. State of U.P. & Another*, (2006) 5 SCC 475, they are entitled to protection.

7) We, accordingly, dispose of the writ petition with a direction to the SSP, District Haridwar to provide protection to the petitioners for a period of eight weeks and ensure that no



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harm is caused to them. Upon expiry of eight weeks, the SSP concerned shall make fresh assessment of the threat perception to the petitioners, and take such measures, as are deemed necessary for their safety and security. It shall be open to the SSP/ SHO concerned to summon the parties, including the private respondents, and counsel them not to take law into their own hands.

8) Interim Relief Application (IA No. 01 of 2024) also stands disposed of.

9) Urgent copy of this order be supplied to the learned counsel for the parties, during the course of the day, as per Rules.

MANOJ KUMAR TIWARI , A.C.J.

VIVEK BHARTI SHARMA, J.

Dt: 14TH NOVEMBER, 2024
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