



HIGH COURT OF UTTARAKHAND AT NAINITAL
HON'BLE THE ACTING CHIEF JUSTICE MR. MANOJ
KUMAR TIWARI
AND
HON'BLE SRI JUSTICE VIVEK BHARTI SHARMA
26TH NOVEMBER, 2024

WRIT PETITION (CRL) NO. 1296 Of 2024
Ujala Devi and another. Petitioners

Versus

State of Uttarakhand and others Respondents

Counsel for the petitioners	:	Mr. Hemant Singh Dangwal, 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.

JUDGMENT : (per Mr. Manoj Kumar Tiwari, A.C.J.)

Petitioners have sought protection. According to them, due to their marriage against the wish of parents and family members of petitioner No. 1, they are receiving threats to their life and liberty.

2. As per the documents, enclosed with the writ petition, both petitioners are major. The date of birth of petitioner No. 1, as recorded in the High School Certificate, is 30.08.1999.

3. Petitioners appeared before us.

4. Petitioner No. 2 stated that he owns a shop in Mahadevpura, Phase-2, Near Shiv Mandir, Salempur Mahdood, SIDCUL, District Haridwar and he has studied



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upto 9th Standard. Petitioner No. 1 stated that she has studied upto High School and earlier, she was employed in a private company known as 'Zenity' in SIDCUL, District Haridwar, but presently, she is not employed anywhere.

5. Both petitioners stated that they got married as per Hindu rites and customs at Arya Samaj Mandir, Haridwar on 24.11.2024. The Certificate issued by the Manager, Arya Samaj Mandir, Shrawannath Nagar, Haridwar is enclosed as Annexure No. 2 to the writ petition. Petitioner No. 2 stated that he will apply for registration of the marriage within one week from today.

6. Learned State Counsel submits that since both the petitioners are major as per the documents enclosed with the writ petition and they are already married, therefore, he has no objection, if they are granted protection.

7. Since both the petitioners are major and they got married as per Hindu rites and customs, they are entitled to get protection in view of the law laid down by Hon'ble Supreme Court in the case of *Lata Negi vs. State of U.P. and Another* 2006(5) SCC 475.

8. Accordingly, the writ petition is disposed of with a



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direction to SHO, Police Station SIDCUL, District Haridwar to provide protection to petitioners for a period of six weeks and ensure that no harm is caused to them by private respondents or any other person acting at their behest. Upon expiry of six weeks, the SHO concerned shall make fresh assessment of the threat perception of the petitioners and take such steps, as are felt necessary.

9. Let a certified copy of this order be issued today itself, on payment of usual charges, as per rules.

MANOJ KUMAR TIWARI , A.C.J.

VIVEK BHARTI SHARMA, J.

Dt: 26th November, 2024
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PRAVINDRA
S RATHOUR

Digitally signed by PRAVINDRA S RATHOUR
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