



IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

HON'BLE THE ACTING CHIEF JUSTICE SRI MANOJ KUMAR TIWARI
AND
HON'BLE SRI JUSTICE PANKAJ PUROHIT

WRIT PETITION (CRIMINAL) NO. 1407 OF 2024

19TH DECEMBER, 2024

Smt. Jyoti and others Petitioners

Versus

State of Uttarakhand & others Respondents

Counsel for the petitioners : Mr. Sanjay Kumar and Mr. Avneesh
Kumar, learned counsels

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 petitioner Nos. 1 and 2, due to their marriage against the wish of respondent No. 4, who happens to be the brother of petitioner No. 1, respondent No. 4 is extending threat to them.



2024:UHC:9701-DB

2) As per the documents enclosed with the writ petition, petitioner No. 1 and petitioner No. 2 are major. Annexure-3 to the writ petition is a certificate of registration of marriage issued by Registrar, Compulsory Registration of Marriages, Haridwar on 10.11.2022. As per the Aadhaar card, date of birth of petitioner No. 1 is 01.01.1999.

3) Petitioner No. 2 stated that that he is employed as Supervisor in a private company in Dehradun, which is engaged in the business of manufacturing of seat covers for automobiles.

4) Since both the petitioners are validly married; their marriage is also registered with the Competent Authority, and they have been blessed with a child, who is aged about one year, therefore, having regard to the law laid down by the Hon'ble Supreme Court in the case of *Lata Singh vs. State of U.P. & Another, (2006) 5 SCC 475*, we are inclined to grant protection to the petitioners.

5) We, accordingly, dispose of the writ petition with a direction to the SHO, P.S. Pathri, District Haridwar to provide protection to the petitioners for a period of six weeks and ensure that no harm is caused to them by private respondent, or any other person acting at his behest. Upon expiry of six weeks, the SHO 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.



2024:UHC:9701-DB

- 6) Interim Relief Application (IA No. 01 of 2024) also stands disposed of.
- 7) 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.

PANKAJ PUROHIT, J.

Dt: 19TH DECEMBER, 2024
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