

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 9754 of 2024

Petitioner :- Smt. Kajal Vishwakarma And Another

Respondent :- State Of U.P. Thru. Prin. Secy. Home Lko. And 4 Others

Counsel for Petitioner :- Abdul Shahid,Rajesh Kumar

Counsel for Respondent :- G.A.

Hon'ble Vivek Chaudhary,J.

Hon'ble Om Prakash Shukla,J.

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

By means of this writ petition the petitioners have prayed for issuance of a writ, order or direction in the nature of mandamus directing the opposite parties not to disturb and interfere in the matrimonial life of the petitioners and further not to harass the petitioners.

It is stated by learned counsel for the petitioners that petitioner nos.1 and 2 are major and have married with each other by their own free will on 13.12.2024 as per Hindu Rites and Rituals in Arya Samaj Mandir, Chinhat, Lucknow. The copy of the marriage certificate issued by the Arya Samaj Mandir has been annexed as Annexure No.1 to the writ petition. Further contention of the learned counsel for the petitioners is that on the date of their marriage i.e. on 13.12.2024, petitioners were of the age of majority. It is stated that there is no F.I.R. lodged against petitioners as on date. Learned counsel for petitioners has invited our attention to the High School Marksheet-cum-certificate and Aadhar Card of the petitioner no. 1 in which her date of birth is shown as 11.01.2006 and as per Aadhar Card, date of birth of petitioner no.2 is 03.12.2003. Both the documents are annexed as annexure No. 3 & 4 respectively to

the writ petition. As the marriage was against the wishes of the family members, therefore, it is alleged that the Police is harassing them at their instance.

Learned counsel for petitioners assures the Court that petitioners shall get their marriage registered under the U.P. Marriages Registration Rules, 2017 within a period of four weeks.

Considering the facts of the case, the writ petition is **disposed of** with the observation that if the petitioners are not wanted in any criminal case and they were of the age of majority on the date of marriage then the police shall not unnecessarily harass them. It is, however, made clear that the Court has neither entered into nor adjudicated the age of the petitioners nor the validity of their alleged marriage.

Order Date :- 19.12.2024
Arti/-

[Om Prakash Shukla,J.] [Vivek Chaudhary,J.]