

**HIGH COURT OF UTTARAKHAND AT NAINITAL****Writ Petition Criminal No. 1628 of 2026****13th August, 2026**

Nisha And Anr Petitioners

Versus

State Of Uttarakhand and Others

.....Respondents

Presence:-

Mr. B.S. Koranga proxy counsel for Mr. Vikas Kumar Guglani, learned counsel for the petitioners.

Mr. N.S. Kanyal and Mr. Dinesh Chauhan, learned A.G.A. for the State.

Hon'ble Alok Mahra, J. (Oral)

The petitioners have approached this Court seeking protection so that they may lead a peaceful life.

2. Heard learned counsel for the parties and perused the material available on record.

3. Learned counsel for the petitioners would submit that petitioner no.1 and petitioner no.2 have been in a consensual relationship for the last six months and intend to solemnize their marriage. However, the parents of petitioner no.1 are opposed to the said relationship. It is further submitted that both petitioners are 18 years of age as per their School Leaving Certificates issued by Government Primary School. Petitioner no.1 is presently residing at the house of petitioner no.2 of her own free will.



4. It is alleged that respondent nos.3 and 4, who are father and mother of petitioner no.1, have been extending threats to the petitioners on account of their opposition to the relationship. The petitioners apprehend danger to their life and liberty and have, therefore, approached this Court seeking appropriate protection.

5. Both petitioners are present before this Court and have been duly identified by their learned counsel. Petitioner no.1 states that she is residing with petitioner no.2 voluntarily, without any force, coercion or undue influence, and wishes to solemnize marriage with petitioner no.2. The petitioners undertake to comply with the provisions of the Uniform Civil Code, Uttarakhand, and the rules framed thereunder, including registration of their live-in relationship.

6. Learned State counsel would submit that while petitioner no.1 has attained majority at 18 years, petitioner no.2 is also 18 years of age, whereas the marriageable age prescribed for a male under law is 21 years.

7. Be that as it may, petitioner no.1 has placed documentary proof of her age on record and asserts that she is residing with petitioner no.2 of her own volition.

8. In the aforesaid circumstances, and having regard to the law laid down by the Hon'ble Supreme Court in **Lata Singh v. State of U.P.**,



(2006) 5 SCC 475, this Court is of the considered opinion that the petitioners are entitled to protection of their life and personal liberty in accordance with Article 21 of the Constitution of India.

9. Accordingly, without expressing any opinion on the inter se rights of the parties or the validity of the proposed marriage, the Station House Officer, Police Station Kichha, District Udham Singh Nagar, is directed to examine the representation of the petitioners and assess the threat perception, if any, to their life and liberty. In the event any real and imminent threat is found to exist, the concerned police authorities shall take appropriate measures to ensure adequate protection to the petitioners strictly in accordance with law. The Station House Officer shall further ensure that no person, including the private respondents or any other individual, takes the law into his or her own hands or causes any unlawful interference, intimidation, harassment or coercion to the petitioners on account of their relationship.

10. With the aforesaid observations and directions, the writ petition stands disposed of.

11. Pending applications, if any, shall also stand disposed of.

(Alok Mahra, J.)
13.08.2026