2026:AHC-LKO:40390-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW

CRIMINAL MISC. WRIT PETITION No. - 5515 of 2026

Smt. Anchal Tiwari And Another

.....Petitioner(s)

Versus

State Of U.P. Thru. Prin. Secy. Home Deptt. Lko.
And Others

.....Respondent(s)

Counsel for Petitioner(s) : Shiv Nandan Tiwari, Saket Kumar Gupta
Counsel for Respondent(s) : G.A.

Court No. - 9

HON'BLE RAJESH SINGH CHAUHAN, J.
HON'BLE DIVESH CHANDRA SAMANT, J.

1. Heard learned counsel for the petitioners and learned AGA for the State-opposite parties no.1 and 2.

2. In view of the order proposed to be passed, notice to opposite party no.3 is dispensed with.

3. This writ petition has been filed seeking a writ of mandamus directing the opposite parties not to interfere in the peaceful marital life of the petitioners and to provide protection to them.

4. The learned counsel for the petitioners has submitted that the petitioners are major and have married each other on their own volition on 01.06.2026 in Pragatisheel Hindu Samaj Nyas, Alabagh,Lucknow as photocopy of marriage certificate has been enclosed as Annexure No.4 with this petition. A photocopy of Certificate-cum-Marks Sheet of High School Examination, 2021 has been enclosed with this petition as Annexure No. 1 to substantiate that petitioner no.1 is major as her date of birth is 16.04.2005. Date of birth of petitioner no.2 is 14.03.1998 as per

High School Mark-sheet as photocopy of the same has been enclosed as Annexure No.2 with this petition. It is contended that opposite party no.3 is not happy with the marriage and as such he is creating hindrance in the peaceful married life of the petitioners. Learned counsel has further stated that no First Information Report has been registered against the petitioners in this regard.

5. In ***Lata Singh Vs. State of U.P. and another, 2006 (5) SCC 475***, the Apex Court in para-17 has observed as under:-

> *"17. .... This is a free and democratic country, and once a person becomes a major he or she can marry whosoever he/she likes. If the parents of the boy or girl do not approve of such inter-caste or inter-religious marriage the maximum they can do is that they can cut-off social relations with the son or the daughter, but they cannot give threats or commit or instigate acts of violence and cannot harass the person who undergoes such inter-caste or inter-religious marriage. We, therefore, direct that the administration/police authorities throughout the country will see to it that if any boy or girl who is a major undergoes inter-caste or inter-religious marriage with a woman or man who is a major, the couple is not harassed by anyone nor subjected to threats or acts of violence, and anyone who gives such threats or harasses or commits acts of violence either himself or at his instigation, is taken to task by instituting criminal proceedings by the police against such persons and further stern action is taken against such persons as provided by law."*

6. The petitioners have also pleaded for protection under Article 21 of the Constitution of India which guarantees liberty to lead life of their own

with dignity.

7. Therefore, this writ petition is **disposed of** with direction to the opposite parties not to interfere in peaceful life and liberty of the petitioners in any manner.

8. It is made clear that if any F.I.R. is already registered on the issue, the order passed by this Court shall automatically stand discharged.

9. It is, however, made clear that this Court has not entered into nor adjudicated the age of the petitioners nor veracity/validity of the alleged marriage.

10. The petitioners shall get their marriage registered under the "Uttar Pradesh Marriages Registration Rules, 2017" within two months from today, failing which this order will automatically come to an end.

11. The Registrar of Marriages concerned is directed to process and issue the registration certificate to the petitioners, strictly in accordance with law, at the earliest. At the time of issuing marriage certificate, the authority concerned shall ensure that all the required formalities are completed by the parties.

(Divesh Chandra Samant,J.) (Rajesh Singh Chauhan,J.)

June 5, 2026
Karan

Digitally signed by :-
KARAN KUMAR RAO
High Court of Judicature at Allahabad,
Lucknow Bench