IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition (Criminal) No.1374 of 2020

Shubham Singh & another ....Petitioners

Versus

State of Uttarakhand & others .....Respondents

Present:- Mr. B.D. Pande, Advocate, for the petitioners.
Mr. J.S. Virk, Deputy Advocate General, with Mr. Rakesh Kumar Joshi, Brief Holder, for the State/respondent nos.1 to 3.

Coram:- Hon'ble Sudhanshu Dhulia, J.
Hon'ble Narayan Singh Dhanik, J.

This case has been heard through video conferencing.

2. Counter affidavit filed on behalf of the State is taken on record. Exemption application (CLMA No.10734 of 2020) stands disposed.

3. Petitioners are a married couple who had sought protection from this Court as their marriage was being opposed at the hands of the private respondent no.4 who is father of petitioner no.2.

4. This Court vide its order dated 02.09.2020 had passed the following order:-

> "This case has been heard through video conferencing.
>
> Mr. B.D. Pande, Advocate, for the petitioners.
>
> Mr. Amit Bhatt, Deputy Advocate General, with Mr. Rakesh Joshi, Brief Holder, for the State/respondent nos. 1 to 3.
>
> Petitioners before this Court are a married couple and their marriage was solemnized as per Hindu rites and ceremonies on 06.07.2020 at Arya Samaj Vivah Sthal Trust, Tis Hazari Court, Delhi. There is a *prima facie* proof of this, which they have annexed to the writ petition. Petitioner no.1 belongs to Hindu religion, whereas petitioner no.2 belongs to Sikh religion. Their marriage is being opposed by respondent no.4 who is father of petitioner no.2. They seek police protection from

> this Court as they have an apprehension that the private respondent may physically harm them.
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> Presently this case is being heard through video conferencing, in which both petitioner nos.1 and 2 are presently connected to us. This Court also had an opportunity to interact with them. They seem to be articulate and they both have apprised this Court that they have a threat perception at the hands of the private respondent no.4.
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> In the interest of justice and in view of the law laid down by the Hon'ble Apex Court in the case of **Lata Singh Vs. State of U.P. and another** reported in **(2006) 5 SCC 475** and **S. Khushboo vs. Kanniammal and another** reported in **(2010) 5 SCC 600**, as an interim measure, we direct the Senior Superintendent of Police, Haridwar to coordinate with the subordinate officers of Police and give suitable directions to the concerned SHO, to provide necessary protection to the petitioners as there is a threat perception at the hands of respondent no.4.
>
> Issue notice to respondent no.4. Steps to be taken within a week.
>
> Three weeks' time is granted to the respondents to file counter affidavit.
>
> List this matter on 20.10.2020.
>
> Interim relief application (CLMA No.6765 of 2020) stands disposed."

5. Learned Counsel for the petitioners Mr. B.D. Pande, has given a statement before this Court, on instructions from his clients, that during the pendency of the writ petition, better sense has prevailed between the parties and the relation between the parties are amicable and there is no more threat perception to the petitioners at the hands of the private respondent and now they are living peacefully. The learned Counsel for the petitioners prays that he may be permitted to withdraw the writ petition.

6. In view of the above statement made by the learned counsel for the petitioners, the writ petition is dismissed as withdrawn.

7. Interim order dated 02.09.2020 is hereby vacated.

(**Narayan Singh Dhanik, J.**) (**Sudhanshu Dhulia, J.**)

17.12.2020

Nitesh/