Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 9590 of 2024

Petitioner :- Smt. Shushila And Another
Respondent :- State Of U.P. Thru. Prin. Secy. Home, Civil Sectt. Lko. And Others
Counsel for Petitioner :- Ashish Kumar Singh,Shanker Lal Pandey
Counsel for Respondent :- G.A.

Hon'ble Vivek Chaudhary,J.
Hon'ble Om Prakash Shukla,J.

1. This petition has been filed by the petitioners, **Smt. Sushila** and **Chandresh**, seeking a writ of mandamus directing the opposite parties not to harass or interfere in the peaceful married life of the petitioners on the behest of opposite party no.4.

2. It is stated by learned counsel for the petitioners that both the petitioners are major and have married with each other out of their own free will on 10.11.2024 as per Hindu rites at Arya Samaj Mandir, Budh Vihar, Chinhat, Lucknow. A copy of marriage certificate and Certificate of Registration of Marriage have been annexed as Annexure No.1 and 2, respectively, to the writ petition. Petitioner no.1 has also annexed High School Certificate as Annexure no.3 and petitioner No.2 has annexed Aadhar Card as Annexure No.4, as proof of their age. They are enjoying and living peaceful matrimonial life. There is no first

information report lodged against the petitioners till date. However, opposite party no. 4, being annoyed with their marriage, are creating hindrance in order to disturb their matrimonial life with the help of police authority of concerned police station. So, they have approached this Court, for redressal of their grievances, by filing the present writ petition.

3. Learned counsel for the petitioners has relied upon the law laid down in paragraph 17 of ***Lata Singh Vs. State of U.P. and another, 2006 (5) SCC 475*** which reads as under:-

"17..... 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 women 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."

4. 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.

5. The petition is, therefore, ***disposed of*** with a direction to the opposite parties not to interfere in peaceful life and liberty of the petitioners in any manner.

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(Om Prakash Shukla, J.) (Vivek Chaudhary, J.)

Order Date :- 17.12.2024
Ajit

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