HIGH COURT OF UTTARAKHAND AT NAINITAL

HON'BLE THE CHIEF JUSTICE SRI G. NARENDAR

AND

HON'BLE SRI JUSTICE SUBHASH UPADHYAY

Writ Petition Criminal No.1420 of 2025

12 November, 2025

Muskan Bi & Another ----Petitioners

versus

State Of Uttarakhand and Others ----Respondents

Presence:-

Mr. Shiv Pande, learned counsel for the petitioners

Mr. B.N. Molakhi, learned Deputy Advocate General with Mr. Rakesh Joshi, learned Brief Holder for the State

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JUDGMENT: (per Sri G. Narendar, C.J.)

Heard Mr. Shiv Pande, learned counsel for the petitioners and Mr. B.N. Molakhi, learned Deputy Advocate General for the State of Uttarakhand.

2. It is submitted that both the petitioners belong to the same faith; that the petitioners developed a liking for each other, which has ended in marriage on 01.11.2025 at Rudrapur Masjid, Udham Singh Nagar according to Muslim rites and rituals, and now both the petitioners are living together. Since the family members and others relatives of the first petitioner are against this marriage, they are giving out

threats to kill both the petitioners. Petitioners submit that they are facing stiff resistance, and they seriously apprehend threat to their life and limb from the family and other relatives of the first petitioner, and hence they are before this Court praying for protection.

3. It is submitted by the learned Deputy Advocate General for the State that both the petitioners are major and that they have solemnized marriage on 01.11.2025. The petitioners have also placed on record Nikahnama as Annexure-2.

4. In that view of the matter, and in view of the ruling of the Hon'ble Supreme Court in the case of **Lata Singh v. State of U.P. and another, (2006) 5 SCC 475**, the petitioners have made out a case for grant of protection.

5. The Station House Officer, Police Station Rudrapur, District Udham Singh Nagar is directed to assess the threat, if any, to the life and limb of the petitioners, and provide necessary protection, if it is found that there is a threat to the life and limb of the petitioners. The SHO is further directed to summon the private respondent, and such other persons, who are

inimically placed towards the marriage of the petitioners, and counsel them, in accordance with law.

6. The Writ Petition stands ordered accordingly.

7. Pending application, if any, also stands disposed of.

(G. NARENDAR, C.J.)

(SUBHASH UPADHYAY, J.)

Dated: 12.11.2025

Rajni

RAJINI GUSAIN

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