HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition Criminal No. 1648 of 2025

09th December, 2025

Saraswati and Another .....Petitioners

Versus

State Of Uttarakhand and Others .....Respondents

Presence:
Mr. Manoj Joshi, learned counsel for the petitioner.
Mr. Rakesh Joshi, learned Brief Holder for the State.

Coram: Hon'ble Ravindra Maithani, J.
Hon'ble Alok Mahra, J.

Hon'ble Ravindra Maithani, J. (Oral)

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

2. Heard learned counsel for the petitioners and perused the record.

3. According to the petition, the families of the petitioners had initially agreed to their marriage, but it could not take place. Nevertheless, both petitioners developed strong feelings for each other and remained in regular contact, discussing their future plans and ways to persuade their families to consent to the marriage. Subsequently, on 28.11.2025, they solemnized their marriage according to Hindu rites and rituals at Prachin Shiv Mandir, Near Bhakhda Bridge to Kashipur Highway, Mahtosh Mod, within the jurisdiction of Police Station Gadarpur, District Udham Singh Nagar. However, respondent no. 4, who is the sister-in-law of petitioner no. 1, and respondent no. 5, who is a BDC member and a close relative of petitioner no. 1, are not happy with the marriage and they are threatening the petitioners.

4. Learned counsel for the petitioners would submit that both the petitioners are major and they are married on 28.11.2025; the respondent nos.4 & 5 are not happy with it

and they are harassing and extending threat to them.

5. The petitioners – Saraswati and Ravindra are present before this Court. They would submit that they got married on 28.11.2025.

6. Be it as it may, according to the petitioners, both are major. They have filed the documents in support of their age. According to them, they are staying together.

7. In the case of Lata Singh v. State of U.P., (2006) 5 SCC 475, Hon'ble Supreme Court directed as hereunder:—

> "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 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."

8. This Court reminds Senior Superintendent of Police, District Udham Singh Nagar the mandate of law, as laid down by the Hon'ble Supreme Court in the case of Lata Singh (supra), who shall ensure the compliance thereof.

9. With the above observation, the instant writ petition stands disposed of.

10. Let a certified copy of this order be supplied to learned counsel for the parties, today itself, on payment of usual charges.

(Alok Mahra, J.)
09.12.2025

(Ravindra Maithani, J.)
09.12.2025

Mamta