
Aarju And Another Vs State Of Uttarakhand And Others

Writ Petition (CRL) No. 2235 Of 2022

Court: Uttarakhand High Court

Date of Decision: Dec. 2, 2022

Hon'ble Judges: Vipin Sanghi, CJ; Manoj Kumar Tiwari, J

Bench: Division Bench

Advocate: Mohd. Alauddin, J.S. Virk, R.K. Joshi

Final Decision: Disposed Of

Judgement

Vipin Sanghi, CJ

1. In this petition, the petitioners have prayed for the following reliefs: -

i) Issue a writ, order or direction in the nature of mandamus commanding and directing to the respondent nos. 1, 2 and 3 to provide

protection / security to the petitioners and they may be directed to ensure that the respondent no. 4 to 6 may not harass, threat and commit

violation to the petitioners in any manner.

ii) Issue any other relief, which this Hon'ble Court may deem fit and proper in the circumstances of the case, be passed in favour of the

petitioners.

iii) Cost of the petition be awarded in favour of the petitioners.

2. In the present case, both the petitioners belong to the same faith and are major. Both the petitioners were in love and they wanted to marry each

other. So they have solemnized their marriage on 28.06.2022 as per Muslim rituals at Piran Kaliyar, Roorkee, District Haridwar, and on 20.08.2022,

they got the same registered in the Office of the Registrar, Compulsory Registration of Marriages, Roorkee-II, Haridwar, Uttarakhand (Copy of the

marriage certificate is annexed as Annexure No. 4 to the writ petition).

3. The learned counsel for the petitioners submits that the petitioners have already made a representation on 21.11.2022 before the Senior

Superintendent of Police, District Haridwar- respondent no. 2 for protecting their lives, a copy whereof is annexed as Annexure No. 5 to this Writ

Petition, but nothing has been done as yet. Having been left with no other remedy, the petitioners have filed the present Writ Petition.

4. In that view of the matter, we hereby dispose of the writ petition by directing the Senior Superintendent of Police, District Haridwar- respondent no.

2 to take a decision on the representation of the petitioners (Annexure No. 5) within 30 days from today. The Senior Superintendent of Police, District

Haridwar shall take information and intelligence from respondent No. 3 during the course of action whether further police protection is required or not.

In the interregnum, respondent No. 3 shall provide necessary police protection for protecting the lives and liberty of the petitioners.

5. Consequently, pending applications, if any, also stand disposed of.

6. Let a free copy of this order be immediately handed over to Mr. J.S. Virk, learned Deputy Advocate General for the State of Uttarakhand, for

early compliance.

7. Urgent copy of this order be supplied to the learned counsel for the parties during the course of the day, as per Rules.