

Court No. - 32

Case :- WRIT - C No. - 21951 of 2018

Petitioner :- Manish Chaturvedi And Another

Respondent :- State Of U P And 2 Others

Counsel for Petitioner :- Irshad Ahmad

Counsel for Respondent :- C.S.C.

Hon'ble Mrs. Sangeeta Chandra,J.

This writ petition has been filed praying for protection of the petitioners from the respondents and for a mandamus to the respondents not to interfere in their peaceful matrimonial life of the petitioners.

It appears that the petitioner No. 2 has appeared in National Eligibility cum Entrance Test conducted by the Central Board of Secondary Education, Delhi on 06.05.2018, and therefore, the learned counsel for the petitioners says that the petitioner having passed Intermediate, is above 18 years of age. From the Admit Card, a copy of which has been filed, the date of birth of petitioner No. 2 is 08.03.200. The petitioner No. 2 married the petitioner No. 1 on 20.05.2018 and was above 18 years of age on the date of marriage.

Learned counsel for the petitioners has placed reliance upon the judgment of this Court in **Smt. Pooja and another vs State of U.P. and others** 2013 (6) ADJ 225.

In **Lata Singh vs. State of U.P.**, 2006 Cr.L.J. 3312, while dealing with a case of harassment by the parents of the boy and girl, who had entered into inter-caste marriage, Hon'ble Supreme Court has issued directions to the Administration / Police authorities throughout the country in the following terms:-

"This is a free and democratic country, and once a person becomes a major he or she can marry whosoever he/she likes. If the parents of the boy or girl do not approve of such inter-caste or inter-religious marriage the maximum they can do is that they can cut off social relations with the son or the daughter, but they cannot give threats or commit or instigate acts of violence and cannot harass the person who undergoes such inter-caste or inter-religious marriage. 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 are not harassed by any one nor subjected to threats or acts of violence, and any one 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."

As such, this writ petition is disposed of with a direction to the respondent no. 2 that in case, the petitioners appear before him with a copy of the order passed by this Court today and their marriage registration certificate, he shall ensure that their peaceful married life is not disturbed.

It is further made clear that if the petitioners are wanted in some criminal case by any competent court, then this order shall not mean protection from arrest in such a case.

Order Date :- 22.6.2018

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