

**IN THE HIGH COURT OF MADHYA PRADESH
AT GWALIOR
BEFORE**

HON'BLE SHRI JUSTICE ANAND PATHAK

ON THE 5th OF AUGUST, 2024

WRIT PETITION No. 21416 of 2024

BHARATI KUSHWAH AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Abhishek Parashar - Advocate for the petitioners.

Shri Naval Kishore Gupta - Govt. Advocate for respondent/State.

ORDER

1. Petitioners are present in person.
2. In this petition, the petitioners inter alia seeking direction to the respondents/ police authorities to provide protection to them.
3. Learned counsel for the petitioners submits that the petitioners, who are major, have married each other on their own volition. For establishing the age of petitioners No.1 and No.2, adhar-card and PAN card have been produced. However, members of family of petitioner No.1 are harassing and victimizing the petitioners. It is further submitted that the instant petition may be

disposed of with the direction to the Superintendent of Police, Datia to provide protection to the petitioners. Petitioners further undertake to live peacefully with each other. In support of his submission, learned counsel for the petitioners has placed reliance on the decision in **Lata Singh v. State of U.P. and another, (2006) 5 SCC 475** and in the case of **Shakti Vahini Vs. Union of India and Others, 2018 (7) SCC 192**.

4. On the other hand, learned Government Advocate for the respondents No.1 to 3/State fairly submitted that in case petitioners approach the police authorities, suitable action in the matter shall be taken.

5. Taking into account the submissions made by learned counsel for the parties and as agreed to by them, this writ petition is disposed of with the direction to the Superintendent of Police, Datia to look into the matter and take appropriate steps expeditiously for providing protection to the petitioners only, in view of the law laid down by the Supreme Court in **Lata Singh and Shakti Vahini (supra)**. This protection is only to the petitioners regarding marriage and would be given subject to verification of age of both the petitioners as well as factum of marriage. Petitioner No.2 husband

undertakes to take care of petitioner No.1 wife and they would not be a source of embarrassment or harassment to each other in any manner.

6. The petition stands disposed of accordingly.

7. It is made clear that this Court has not expressed any opinion with regard to validity of the marriage of the petitioners.

8. Certified copy as per rules.

(ANAND PATHAK)
JUDGE

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