

Court No. - 67

Case :- HABEAS CORPUS WRIT PETITION No. - 209 of 2022

Petitioner :- Smt Lavi Choudhari

Respondent :- State Of U.P.And 2 Others

Counsel for Petitioner :- Subodh Pandey

Counsel for Respondent :- G.A.

Hon'ble Rahul Chaturvedi,J.

Heard Sri Subodh Pandey, learned counsel for the petitioner, Sri Sudhakar Yadav, learned counsel for the opposite party no. 3 and learned AGA for the State.

Pursuant to the earlier order dated 30.3.2022, S.I. Sansar Singh, police station - Asmoli, district Sambhal along with lady constable Anjali Sharma are present in the Court. The corpus Ms. Lavi Chaudhari is duly identified by her counsel Shri Sudhakar Yadav.

On making an enquiry, the girl Smt. Lavi Chaudhari states that she has completed her B.Tech Examination from IFTM University in the year 2017 in the First Division. The date of birth of Smt. Lavi Chaudhari is 2.11.1994. She is eldest daughter in her family. Ms. Lavi Chaudhari and Mr. Pradeep Kumar during her studies they develop certain amount to tender relationship between them. Both of them eventually solemnized marriage on 4.2.2019 at marriage registration office of Sambhal. Sensing the certain threats from her father, both of them have approached this Court by means of Civil Misc. Writ-C No. 33790 of 2021 and this Court vide order dated 21.12.2021 has protected the interest of the couple.

It is admitted that she is a major girl and she has every right to decide her future and exercising her valuable right, she has made a conscious decision to marry with Pradeep Kumar.

On making an enquiry by the Court, she has reiterated that she wants to go with her husband, Pradeep Kumar with whom she married.

Respecting the Will and desire of the girl, she is at liberty to join the company of her husband.

At this juncture, Smt. Lavi Chaudhari informed the Court that she has been selected on the post of Sub Inspector in the U.P. Police and tomorrow i.e. 28.4.2022 is the date fixed for her documents verification and other formality before the U.P.

Police Recruitment and Promotion Board, Lucknow and she has been asked to report at Police Lines at Bareilly on 28.4.2022. She further submits that all her original documents are keeping with her father who is deeply annoyed with her decision and he is not providing those original documents to her as an arm twisting.

It is expected from the concerned official / senior most official of the Board who has got decision making authority to accommodate the girl Smt. Lavi Chaudhari for a month to provide her original documents. Since there is a total non corporation from her family member, under the circumstances, the S.P., Moradabad is directed to procure all educational documents and certificates belonging to Smt. Lavi Chaudhari within next 15 days and hand over to those documents to the corpus, Smt. Lavi Chaudhari. The S.P., Moradabad is required to call upon her father or her family members and direct them to hand over those educational and other relevant documents to her within time allocated. Their shall be no laxity or tricks would be permitted to father, but to hand over the documents to her. The S.P. Moradabad is requested to personally look into the matter and use his good offices for this purpose.

Since, the applicant has already approached this Court by means of Civil Misc. Writ-C No. 33790 of 2021 for taking protection, the couple is facing threat from her own family member. The S.P. Moradabad is also directed to take suitable measure by providing requisite security to the couple so that their life and liberty shall remain secure and may lead to peaceful marital life.

A copy of this order shall be given to learned AGA to communicate this order within next 48 hours to the concerned S.P. Moradabad for compliance.

With these observations, this habeas corpus writ petition is disposed of.

Order Date :- 27.4.2022

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