

**Court No. - 40****Case :-** WRIT - C No. - 6408 of 2025**Petitioner :-****Respondent :-** State Of U.P. And 7 Others**Counsel for Petitioner :-** Santosh Prajapati, Sayyed Kashif Abbas Rizvi**Counsel for Respondent :-** C.S.C.**Hon'ble Shekhar B. Saraf, J.****Hon'ble Vipin Chandra Dixit, J.****Civil Misc. Impleadment Application No.3 of 2025**

1. Heard learned counsel appearing on behalf of the parties.
2. We have perused the affidavit accompanying the impleadment application and find that sufficient cause has been made out for allowing the same. Accordingly, application is allowed.
3. Necessary impleadment be made during the course of the day.

**Order on the Petition**

4. Heard learned counsel appearing on behalf of the parties.
5. This is a writ petition under Article 226 of the Constitution of India filed by the petitioner, who is a child, through her biological parents.
6. It appears that the father and mother of the child are of different religion and have been living together since 2018. The child is presently one year and four months old. The parents of the child are apprehensive of certain threats from the private respondents who are the erstwhile in-laws of the biological mother.

7. It is to be noted that after the death of the erstwhile husband, biological mother started living with the biological father.

8. In our view, under the Constitutional scheme the parents, who are major, are entitled to live together, even if they have not undergone marriage (see: *Gyan Devi vs. Superintendent, Nari Niketan, Delhi and others reported in (1976) 3 SCC 234; Lata Singh vs. State of U.P. and another reported in (2006) 5 SCC 475; and Bhagwan Das vs. State (NCT of Delhi) (2011) 6 SCC 396*).

9. The parents of the child submits that the police authorities are not willing to register the first information report against the private respondents and the police authorities time and again are humiliating them when they approach the police station for lodging the first information report.

10 In light of the same, the Superintendent of Police, Sambhal is directed to ensure that the first information information report should be registered at Police Station Chandausi, District Sambhal, if the parents of the child approach the police station. The Superintendent of Police, Sambhal is also directed to look into the aspect whether any security is required to be provided to the child and the parents in accordance with law. The authorities are also directed to act in accordance with the judgements indicated above.

11. With the above directions, the writ petition is allowed.

**Order Date :- 8.4.2025**

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**(Vipin Chandra Dixit,J.)      (Shekhar B. Saraf,J.)**