



2026:AHC-LKO:21247-DB

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

CRIMINAL MISC. WRIT PETITION No. - 2139 of 2026

Shifa And Another

.....Petitioner(s)

Versus

State Of U.P. Thru. Secy. Home Lko. And
Others

.....Respondent(s)

Counsel for Petitioner(s) : Alok Kumar Singh
Counsel for Respondent(s) : G.A., Rizwanul Haque Ansari, Santi

Court No. - 11

**HON'BLE ABDUL MOIN, J.
HON'BLE PRAMOD KUMAR SRIVASTAVA, J.**

1. Heard learned counsel for the petitioners, learned AGA for the State-respondent nos. 1 to 3 and Sri Rizwanul Haque Ansari, learned counsel for respondent no. 4.

2. This petition has been filed praying for a mandamus commanding the respondents not to harass the petitioners and not to interfere in their married life.

3. Facts of the case have already been noted in detail vide order dated 11.03.2026 passed by this Court, which is reproduced below for convenience:

"1. Heard learned counsel for the petitioners, learned A.G.A. for the respondents State, as well as Shri Sumit Chauhan, learned counsel for respondent No. 4.

2. The instant writ petition has been filed praying for a writ of mandamus commanding the respondents not to harass the petitioners and not to interfere in their married life.

3. The contention of the learned counsel for the petitioners is that both the petitioners are major and they got married on 24.02.2026. A copy of the Nikahnama has been annexed as Annexure-2 to the petition. Respondent No.4 is not happy with the marriage of the petitioners and is therefore harassing them.

4. It is also contended that in support of the petitioners being majors, a copy of the birth certificate of petitioner No. 1, Shifa, has been filed, which indicates her date of birth as 06.07.2007, while the date of birth of petitioner No. 2 is

18.08.2001 on the basis of his PAN card and Aadhaar card.

5. On the other hand, Shri Sumit Chauhan, learned counsel for respondent No. 4 states that petitioner No.1 is a minor, her date of birth being 06.08.2008. Learned counsel has produced a xerox copy of the High School marksheet indicating the date of birth of petitioner No. 1 as 06.08.2008, which shall be kept on record.

6. Learned counsel for respondent No. 4 argues that from the date of birth recorded as 06.08.2008 in the High School records of petitioner No. 1, it emerges that petitioner No. 1 is a minor, and thus it cannot be said that the petitioners are legally married. It is further stated that it could be a case where they are in a live-in relationship, but even then, since petitioner No. 1 is a minor as per the date of birth recorded as 06.08.2008, they cannot be in any live-in relationship, even if the validity of the marriage is not examined by this Court.

7. Responding learned counsel for the petitioners states that the birth certificate of petitioner No.1 is genuine and valid, although the same was issued on 05.02.2026.

8. Learned counsel for the petitioners further states that in case the said birth certificate of petitioner No.1 turns out to be manipulated or forged or issued on the basis of fake or fabricated documents or on the basis of documents not eligible for being considered for issue of birth certificate, then consequences may follow, to which the petitioners are ready.

9. Accordingly, let the Station House Officer verify the validity of the birth certificate issued by the Gram Panchayat, Kaimhara, a copy of which has been filed as Annexure-1 to the petition, including the documents on the basis of which the same was issued.

10. Let the verification be carried out within a period of 10 days.

11. List this case on 24.03.2026.

12. In case the verification is not carried out and a report produced by the date fixed, the Station House Officer, Police Station Mahewaganj, District Lakhimpur Kheri, i.e. respondent No.3 shall be present before the Court.

13. Till then, respondents shall not harass the petitioners in any manner."

4. From perusal of the aforesaid order, it emerges that the petitioners claim themselves to have got married. The date of birth of petitioner no. 1, on the basis of birth certificate which has been filed by the petitioner, copy of which is Annexure no. 1 to the petition, is said to be 06.07.2007. However, learned counsel for respondent no. 4 has produced the High School Mark-sheet, whereby the date of birth of petitioner no. 1 was 06.08.2008.

5. Upon the same being pointed out by learned counsel for

respondent no. 4, the Court had asked the learned counsel for the petitioners regarding the birth certificate of petitioner no. 1, to which learned counsel for the petitioners has specifically stated that in case the birth certificate turns out to be manipulated or forged, then the consequences may follow, to which the petitioners are ready.

6. Today, learned AGA, on the basis of instructions sent by Sri Aditya Kumar Maurya, Sub Inspector, Kheri, dated 19.03.2026, states that birth certificate, as annexed by the petitioners with respect to petitioner no. 1, has been verified and the registration number of birth certificate of petitioner no. 1 is B202609144410000010.

7. Upon being verified, the said birth certificate is found to have been issued in the name of one Anshika Devi D/o Sri Vijay Pal, resident of village Kaimhara, Police Station Fardhan, District Lakhimpur Kheri. Copy of the said birth certificate is also available. The Court has perused the said birth certificate issued in favour of Anshika Devi having the same registration number as that annexed by the petitioners with regard to the date of birth of petitioner no. 1. Thus, the birth certificate, as annexed by petitioner no. 1 with regard to her age is patently fake, fabricated and manipulated. Thus, the petitioners have approached this Court, on the basis of manipulated, fake and forged document.

8. Considering the aforesaid, this Court is of the view that interest of justice would suffice in case cost is imposed upon the petitioners.

9. Considering the aforesaid, the writ petition is **dismissed** with cost of Rs. 15,000/-. Let the cost be deposited before legal aid of this Court within a period of four weeks, failing which the amount shall be recovered as arrears of land revenue.

10. Let a copy of this order be sent to the Senior Registrar of this Court for appropriate action.

March 24, 2026

kkv/

(Pramod Kumar Srivastava,J.) (Abdul Moin,J.)