



The Indian Journal for Research in Law and Management

Open Access Law Journal – Copyright © 2025

Editor-in-Chief – Dr. Muktai Deb Chavan; Publisher – Alden Vas; ISSN: 2583-9896

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LATA SINGH VS STATE OF UP (2006)

~ *Mansi Shrivastava*

Introduction

The Supreme Court of India's judgment in *Lata Singh v. State of Uttar Pradesh*¹ marks a key moment in Indian constitutional law around personal freedom, the choice of marriage, and protection from honour-based violence. This case, decided on 7 July 2006 by Justices Ashok Bhan and Markandey Katju, firmly stated that the right to marry someone of one's choice is a vital part of the fundamental right to life and personal liberty under Article 21 of the Constitution of India. The court provided strong guidance to law enforcement across the country to protect inter-caste and inter-religious couples from harassment, violence, and threats.

Facts

Lata Singh, a 27-year-old postgraduate student at Lucknow University, married Brahma Nand Gupta, a businessperson from Delhi, in an Arya Samaj ceremony on 2 November 2000. Their marriage was inter-caste, and they later had a child. However, her three brothers, Ajay Pratap Singh, Shashi Pratap Singh, and Anand Pratap Singh, were furious about her choice.

On 4 November 2000, her brother filed a missing person report at the Sarojini Nagar Police Station in Lucknow. The police arrested Brahma Nand's two sisters (including Mamta Gupta with her one-month-old infant), Rakesh Gupta, and Kallu Gupta. Lata's brothers allegedly launched a violent campaign against them. They attacked Brahma Nand's mother and uncle, destroyed property, locked one of his brothers in a room for days without food or water, harvested and sold crops from

¹ *Lata Singh v. State of U.P.*, (2006) 5 S.C.C. 475 (India)

his fields, and forcibly took over his shop. False charges of kidnapping under Sections 366 and 368 of the Indian Penal Code were filed against Brahma Nand and his relatives.

Despite the investigating officer recording Lata's statement that she married out of her own free will and the Station House Officer submitting a report stating no offence had taken place, the Chief Judicial Magistrate made a committal order on 5 October 2001. The Fast Track Court issued non-bailable warrants against all four accused. Fearing for her life and her family's safety, Lata filed a writ petition under Article 32 of the Constitution with the Supreme Court to cancel the criminal proceedings.

Issues

The case raised several important questions: whether a writ petition under Article 32 could be used to cancel criminal proceedings pending in a Sessions Court; whether inter-caste marriages are legal under Indian law; whether the right to marry someone of one's choice is part of the fundamental right under Article 21; and what protections State authorities should provide to individuals choosing to marry outside their caste or religion.

Court's Analysis

Justice Markandey Katju, writing for the Bench, gave a compelling judgment that addressed the specifics of the case and broader societal issues. The Court clearly stated that, as an adult, Lata had the full right to marry anyone she wanted. There was no law against inter-caste marriages under the Hindu Marriage Act, 1955², or any other law. Thus, no offence had been committed by Lata, her husband, or his relatives.

The Court described the entire criminal case as a gross misuse of the legal system, instigated by Lata's brothers, who were upset over her marrying outside her caste. It expressed concern that instead of taking action against the brothers for their illegal actions, including assault and property damage, the police proceeded against innocent relatives of Lata's husband.

²Hindu Marriage Act, 1955, Section 5, No. 25 of 1956, INDIA CODE (enacted 1956)

Landmark Observations

The Court noted that incidents of harassment and violence against inter-caste couples were becoming increasingly common and made significant remarks on related public concerns. Justice Katju described the caste system as "a curse on the nation" that needed to be eliminated quickly. The Court emphasized that inter-caste marriages benefit the nation by helping to break down the harmful caste system.

The Court stated that any violence, threats, or harassment targeted at inter-caste or inter-religious marriages is completely illegal, and those responsible must face severe penalties. It highlighted that India is a free and democratic nation where every adult has the right to choose their spouse. If parents disapprove of such a marriage, their only option is to cut off social ties; they cannot threaten, harm, or harass the couple.

Most importantly, the Court condemned "honour killings" powerfully: "There is nothing honourable in such killings; they are barbaric murders committed by brutal, feudal-minded individuals who deserve severe punishment." The Court stressed that strict action was necessary to eliminate this brutality.

Ratio Decidendi

The key legal principles established are: first, the right to marry someone of one's choice is an essential part of the fundamental right to life and personal liberty under Article 21; second, inter-caste and inter-religious marriages between consenting adults are completely legal; third, violence, threats, or harassment against those entering such marriages is illegal and warrants strong legal action; fourth, honour killings are barbaric murders deserving the highest penalties; and fifth, State authorities must protect individuals exercising their right to marry beyond caste or religion.

Directions

The Court issued nationwide directives. It accepted Lata's writ petition, erasing Sessions Trial No. 1201 of 2001 and all warrants. Police agencies in India must ensure that when any adult marries someone of a different caste or religion, the couple is not harassed or threatened. Anyone who issues such threats or commits violence must face criminal proceedings and strict action. The Court

specifically instructed that Lata, her husband, and his relatives should not be harassed, and criminal proceedings must be started against her brothers.

Impact and Significance

Lata Singh has become a key precedent in Indian constitutional law regarding personal liberty and choice in marriage. The judgment is often referenced by courts across India. In the case *Shakti Vahini v. Union of India* (2018)³, the Supreme Court reiterated that family or community consent is not necessary for two adults to marry and called for fast-track investigations and safe houses for couples facing threats.

The Central Government launched the "Dr. Ambedkar Scheme for Social Integration through Inter-Caste Marriage,"⁴ which provides financial support to inter-caste couples. Several state governments have created similar programs. High Courts frequently cite Lata Singh when ordering police protection for at-risk inter-caste and inter-religious couples.

Conclusion

Lata Singh v. State of Uttar Pradesh significantly influenced Indian constitutional law by confirming that the right to marry someone of one's choice is protected by Article 21. The judgment condemned honour killings, labeled the caste system a national curse, and included extensive guidance for law enforcement, presenting a strong assertion of constitutional values against regressive social practices. This decision represents progressive judicial activism, showing the Supreme Court's commitment to defending fundamental rights and prompting social change. While challenges remain in implementation, Lata Singh continues to guide courts and society toward a fairer social system where individuals can freely make their marital choices without fear of persecution.

³ *Vahini v Union of India*, 2018 5 SCC 1 (INDIA)

⁴ MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT, GOVERNMENT OF INDIA, DR. AMBEDKAR SCHEME FOR SOCIAL INTEGRATION THROUGH INTER-CASTE MARRIAGE (2013)