

Court No. - 85

Case :- WRIT - C No. - 25016 of 2022

Petitioner :- Smt. Shabnam Bano Alias Neha Pathak And Another

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

Counsel for Petitioner :- Vijay Shantam

Counsel for Respondent :- CSC

Hon'ble Mayank Kumar Jain,J.

Heard learned counsel for the petitioner and learned Addl. Chief Standing Counsel for the State-respondents.

By means of present writ petition, the petitioners have prayed for direction in the nature of mandamus directing the respondents not to harass and torture them by any mode or manner and also not to interfere in their peaceful matrimonial life.

Learned counsel for the petitioners submits that the petitioners are major and have solemnized their marriage with each other according to Hindu Rites and Custom on 28.7.2022 in presence of Arya Samaj Pandit at Arya Samaj, George Town, Allahabad. No F.I.R. has been registered against them.

Sri Ashvini Kumar Tripathi, learned Addl. Chief Standing Counsel has submitted that instructions have been received at his end which discloses that petitioner no. 1 has lawfully converted her religion from Muslim to Hindu, under Sections 8 and 9 of Unlawful Conversion of Religion Act, 2021 pursuant to the direction of this Court dated 15.11.2022.

In view of the above, the writ petition is finally disposed of with the direction that petitioners are at liberty to live together. No person shall be permitted to interfere in their peaceful living. In case any disturbance is caused in the peaceful living of the petitioners, the petitioners shall approach the concerned Police Authority concerned with a certified copy of this order, who shall provide immediate protection to the petitioners.

However, this order in no way expresses opinion about the validity of their marriage and genuineness of their marriage certificate. This order shall not protect the petitioners against any action or proceedings pursuant to any F.I.R. or complaint case against him/her/them.

Order Date :- 6.12.2023

A.P. Pandey