

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Sr. No.132

CRWP-10047-2021

Date of Decision: 21.10.2021

NISHA ALIAS GAGANPREET KAUR AND ANOTHER

... Petitioners

VERSUS

STATE OF PUNJAB AND OTHERS

... Respondents

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mohd. Salim, Advocate,
for the petitioners.

ARCHANA PURI, J.

The matter has been taken up through video conferencing
in the light of COVID-19 pandemic.

Through the present petition, the petitioners have made a
prayer for seeking protection, as threat is extended to them, at the
behest of private respondents No.4 and 5, as both the petitioners, have
solemnized marriage against their wishes.

It is claim of the petitioners that both of them are major
and to so substantiate the factum of age, copies of Aadhaar cards of
both the petitioners have been annexed with the petition. It is their
claim that they have solemnized marriage on 15.10.2021 as per
Mohammadan Law, Rites and Ceremonies and this marriage is not

acceptable to respondents No.4 and 5, who are the parents of petitioner No.1. Even, marriage certificate and photographs of marriage have been annexed with the petition as Annexure P-6 and P-7, respectively. Both the petitioners are stated to be residing within the jurisdiction of this Court and now they apprehend danger to their lives and personal liberty at the instance of private respondents No.4 and 5. Even, they have sent representation dated 16.10.2021 to the Superintendent of Police, Barnala, copy whereof is Annexure P-8, thereby making a prayer for extending protection to their lives and liberty but no action has been initiated upon the same.

Further, it is averred in the petition that petitioner No.1 originally belong to Schedule Caste Hindu Community and converted into Islam and after conversion, she has performed the said marriage. With regard to the conversion, she has executed an affidavit, hard copy whereof is Annexure P-5.

Notice of motion.

Ms. Safia Gupta, AAG, Haryana, accepts notice on behalf of official respondents and gives assurance about initiation of action, on the representation dated 16.10.2021, in accordance with law.

In view of the submission so made and the assurance so given by the learned State Counsel, the present petition is hereby disposed off with the direction to official respondents No.2 and 3 to redress the grievance of the petitioners, within a period of four weeks, in view of the contents of the representation, in accordance with law, if so required.

However, these observations are circumscribed, only for the purposes of disposal of the present petition, without prejudice to the rights of the parties, to be adjudicated, in any civil or criminal proceedings, qua their age, factum of marriage and the validity thereof.

(ARCHANA PURI)
JUDGE

21.10.2021

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No