

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

CRWP No. 10515 of 2020
Date of Decision: 25.01.2021

Anjali Sharma @ Sehnaz and another

-Petitioners

Versus

State of Haryana and others

-Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Harish Chhabra, Advocate,
for the petitioners.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through video-conferencing.

Power of Attorney having endorsement of No Objection from original counsel is taken on record.

The present petition has been filed by the petitioners for grant of necessary protection qua their lives and personal liberties from being invaded by private respondents.

By filing the present petition, the petitioners have pleaded that petitioner No.1 has converted her religion from Hindu to Islam. There is no pleading qua petitioner No.2- Amandeep son of Shashi Kumar that he belongs to Muslim community.

Learned counsel for the petitioners submits that

though the name of petitioner No.2 appears to be Hindu, but is a Muslim and this fact has been testified by the Sarpanch of the village.

Petitioners have statedly performed Nikaah out of their own free will.

It appears that the pleadings are deficient in respect of marital status of parties, but this Court is only concerned about lives and personal liberties of the citizens.

Notice of motion.

On the asking of the Court, Mr. Anant Kataria, D.A.G., Haryana accepts notice on behalf of State of Haryana.

In view of pleadings made by the petitioners, this Court is not in a position to appreciate marital status of the petitioners, but keeping in view the threat perception, I deem it appropriate to direct respondent No.2 to have a fair glance on the grievance of the petitioners, for which representation dated 12.12.2020 has already been moved before respondent No.2.

While disposing of the present petition, no finding is being given qua validity or otherwise of the marriage. Respondent No.2 will be entitled to look into the grievance of the petitioners and pass appropriate order in accordance with law without being influenced by any statement of fact made hereinabove.

This order shall not debar the official respondents from proceeding against any of the party in accordance with law in case they are involved in some other case. It would be appreciated if the representation filed by the petitioners is decided within a period of one month from today keeping in view the threat perception shown by the petitioners.

Disposed of.

January 25, 2021

Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

1. Whether speaking/reasoned : Yes/No

2. Whether reportable : Yes/No