

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

112

CRWP-10739-2022

Decided on : 15.11.2022

Afsana and another

. . . Petitioner(s)

Versus

Union Territory, Chandigarh and others

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Mukesh Mehra, Advocate
for the petitioners.

SANJAY VASHISTH, J. (Oral)

Prayer in the instant petition filed under Article 226 of the Constitution of India, is for issuance of directions to respondents No. 1 to 3 to provide protection of life and liberty to petitioners, who have married against the wishes of private respondents.

Learned counsel for petitioners submits that Petitioner No. 1- Afsana, aged 24 years, who is Mohammedan by religion, has performed marriage on 15.10.2022, with petitioner No. 2 - Prince, aged 24 years, who is Hindu by religion. However, none of them has converted their respective religions. Marriage has been solemnized against the wishes of family members of petitioner No.1, arrayed as respondents No. 4 to 6. It has been further submitted that private respondents are threatening to interfere in the matrimonial life of petitioners. Hence, petitioners are seeking protection in that regard and have approached this Court by way of filing the instant petition. They have also submitted a representation dated 09.11.2022 (Annexure P-4) to respondent No.2 – Senior Superintendent of Police, Union Territory, Chandigarh, wherein, they have expressed their

apprehension.

Notice of motion.

On advance notice to UT, Chandigarh, Mr. A.K. Goyal, Addl. PP, UT Chandigarh, appears and accepts notice on behalf of respondents No. 1 to 3.

In view of the above, present petition is disposed of with a direction to respondent No.2 – Senior Superintendent of Police, UT, Chandigarh, to look into the representation dated 09.11.2022 (Annexure P-4) *qua* threat perception and if there is any substance in it, take necessary steps, in accordance with law, to ensure that lives and liberty of petitioners is not jeopardized at the hands of the private respondents. Respondent No. 2 would also ensure that conversion of the religion of petitioner No.1 – Afsana from Mohammedan to that of Hindu, is with her free will and wish.

However, this direction will not validate the marriage said to have taken place between the parties and will have no effect on any civil or criminal action, which could be initiated in the matter in accordance with law.

(SANJAY VASHISTH)
JUDGE

November 15, 2022

J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*