

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

105

**CRWP-1597-2023
Decided on : 21.02.2023**

Rozy Chatha and another

... Petitioner(s)

Versus

State of Punjab and others

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. R.K. Agnihotri, Advocate
for the petitioner(s).

Mr. J.S. Arora, DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

Prayer in the instant petition filed under Article 226 of the Constitution of India, is for issuance of directions to official respondents No.2 & 3, to provide protection of lives and liberty of the petitioners, who have married against the wishes of private respondents.

2. Counsel for the petitioners submits that petitioner No.1 – Rozy Chatha (aged 32 years) originally belongs to Muslim religion, and petitioner No.2 – Baljit Singh (aged 30 years) belongs to Hindu religion. However, parents of petitioner No.1 i.e. respondents No.4 & 5, were forcing petitioner No.1 to perform marriage/Nikah with respondent No.6, who is real Massi's son of petitioner No.1. Therefore, both the petitioners, who were liking each other, have now performed marriage on 15.02.2023 as per Hindu Rites and Ceremonies, against the wishes of their family members, arrayed as respondents No.4 to 6, and it is the first marriage of both the petitioners.

3. It has been further submitted that the private respondents are threatening to interfere in the matrimonial life of the petitioners. Hence, the 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 15.02.2023 (Annexure P-6), to respondent No.2 – the Commissioner of Police, Jalandhar, wherein, they have expressed their apprehension.

Besides this, counsel for the petitioners also states that once the lives and liberty of the petitioners is protected, petitioner No.1 undertakes to move an appropriate application before the concerned State authorities for conversion/changing of religion, as per law.

4. Notice of motion.

5. On asking of the Court, Mr. J.S. Arora, DAG, Punjab, accepts notice on behalf of respondents No.1 to 3 (State).

6. In view of the above, the present petition is disposed of with a direction to to respondent No.2 – the Commissioner of Police, Jalandhar, to look into the representation dated 15.02.2023 (Annexure P-6), *qua* threat perception, and if there is any substance in it, take necessary steps, in accordance with law, to ensure that the lives and liberty of the petitioners are not jeopardized at the hands of the private respondents.

7. 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

February 21, 2023

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No