

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

101+206

CRM-W-664-2023 in/and
CRWP-3635-2023 (O&M)
Decided on : 26.05.2023

Khushi @ Khushnuma and another

. . . Petitioner(s)

Versus

State of Haryana and others

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Hardeep Singh Kasan, Advocate for the petitioners.

Mr. Pawan Kumar Jhanda, DAG, Haryana.

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SANJAY VASHISTH, J. (Oral)

CRM-W-664-2023

(i) Prayer in the present application is for placing of record the documents i.e. (I) application dated 19.03.2023 addressed to the Deputy Commissioner-cum-District Magistrate, Kaithal under '*the Haryana Prevention of Unlawful Conversion of Religion Act, 2022* '.

(ii) Thereupon, again another application dated 08.05.2023 was also moved for the purpose of conversion of religion and issuance of certificate in that regard. Same is also requested to be taken on record in the main case i.e. CRWP-3635-2023.

(iii) Notice in the application.

(iv) On asking of the Court, Mr. Pawan Kumar Jhanda, DAG, Haryana, accepts notice on behalf of respondent-State. He does not raise any serious objection in allowing the prayer made in the present application.

(v) This Court has examined the application and on the basis of contents mentioned therein, same is allowed. Consequently, documents i.e. application dated 19.04.2023 and 08.05.2023 are ordered to be taken on record as Annexure A-1 and A-2 respectively.

(vi) Registry is directed to tag the same at appropriate place.

(vii) Application stands disposed of.

CRWP-3635-2023

1 In the present protection petition, after hearing the submission

on 18.04.2023, this Court has passed the following order:

“Present: *Mr. Hardeep Singh Kasan, Advocate
for the petitioners.*

. *Learned counsel for petitioners submits that petitioner No.1- Khushi @ Khushnuma, aged about 21 years and petitioner No.2 – Pardeep, aged about 31 years, have filed the instant petition under Article 226 of the Constitution of India, for seeking issuance of directions to respondents No. 2 to 5 to provide protection of lives and liberty of the petitioners, which is at risk at the hands of private respondents i.e. 6 to 8.*

2. *Learned counsel for the petitioners submits that petitioner No. 1-Khushi @ Khushnuma is originally Mohammedan by religion but with her sweet will she has converted her religion from Mohammedan to Hindu. In that regard, certain ceremonies were performed in the Vaidik Vivah Charitable Trust at Rohtak, on 23.03.2023, and thereafter, both the petitioners have performed their marriage as per Hindu Rites and Ceremonies. Counsel for the petitioners also refers to photographs (Annexure P-5) attached with the petition.*

3. *Counsel further undertakes that within a period of one week from today, petitioner No. 1 would move an appropriate application for conversion of the religion from Mohammedan to Hindu as prescribed in the Statute i.e. **‘The Haryana Prevention of Unlawful Conversion of Religion Act, 2022’**.*

4. *Counsel for the petitioners also argues that there is a strong apprehension for killing of the petitioners at the hands of respondents No.6 to 8 and therefore, till next date of hearing respondents No. 4 i.e. Superintendent of Police, Kaithal, District Kaithal be directed to decide their representation dated 14.04.2023 (Annexure P-7) and to ensure the safety of lives and liberty of the petitioners.*

5. *Notice of motion.*

6. *On asking of the Court, Mr. Vikas Bhardwaj, AAG, Haryana, who is present in the Court, accepts notice on behalf of respondents No. 1 to 5 (State).*

7. *Let a copy of complete paper book be handed over to him, during the course of the day.*

8. *Adjourned to 05.05.2023.*

9. *Meanwhile, respondent No. 4- Superintendent of Police, Kaithal, District Kaithal, is directed to look into the representation dated 14.04.2023 (Annexure P-7) and in case, any substance of truth is found in the same, he/she would ensure the safety of lives of the petitioners, till the next date of hearing. ”*

2 Thereafter, on 05.05.2023 following order was passed by this Court:

*“Present: Mr. Hardeep Singh Kasan, Advocate
for the petitioner(s).*

Mr. Pawan Kumar Jhanda, DAG, Haryana.

1. *At the outset, learned State counsel has filed the status report dated 04.05.2023, by way of affidavit of DSP, Head Quarters, Panipat, on behalf of respondents No.1 to 3, in Court today, which is taken on record, subject to all just exceptions. Office to tag the same at appropriate place. A copy thereof has been handed over to the counsel for the petitioners.*

2. *On the other hand, counsel for the petitioners states that in compliance to the undertaking given by petitioner No.1, and recorded in the order dated 18.04.2023, already statutory application has been moved to the Deputy Commissioner for allowing the conversion of religion according to the law. However, he seeks time to place on record the same, by way of an appropriate application and supporting affidavit.*

3. *Adjourned to 26.05.2023.*

4. *If any, such application has been presented by petitioner No.1, the concerned authority is expected to decide the same in accordance with law within the period mentioned in ‘the Haryana Prevention of Unlawful Conversion of Religioin Act, 2022’ ”*

3. Learned counsel for the petitioners submits that in view of the fact that the requisite application(s) has also been submitted to the concerned Statutory Authority for the purpose of conversion of religion,

present petition may be disposed of having been rendered infructuous.

4. In view of the statement made by counsel for the petitioners here above, present petition stands disposed of being rendered infructuous.

(SANJAY VASHISTH)
JUDGE

26.05.2023

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<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>