

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRWP-4659-2023
Decided on : 25.05.2023

Farha Parveen and another

. . . Petitioner(s)

Versus

State of Punjab and others

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Gurpal Singh Sandhu, Advocate
for the petitioner(s).

SANJAY VASHISTH, J. (Oral)

1. Order dated 16.05.2023 says as under:

“Present: Mr. Gurpal Singh Sandhu, Advocate for the petitioners.

It is noticed by this Court that private respondents No. 4 to 6, who are none, but the parents and other family members of petitioner No. 1-Farha Parveen, are the residents of Mohalla, Mughushah, Tehsil Najibabad District Bijnor, Uttar Pradesh-246763.

Upon this, Court asked to produce the documents in support of the address of the petitioners as shown of Village Nabha Dialpura, Tehsil and District SAS Nagar, Mohali.

Learned counsel seeks an adjournment.

Adjourned to 25.05.2023.”

2. Today, counsel for the petitioners produces experiences certificates (undated) issued by one Parminder Singh Transporter (H.No.4-P, MDC Sector 6 Panchkula (Hr.)) whereby petitioner No.1 has been certified to be working with their firm as a Conductor Ladies Helper from 01.02.2018 till date for St. Xavier's High School, Sector 20, Panchkula (Hr.)

Similarly, petitioner No.2 has also been certified to be working as driver for their firm from 05.08.2012 till date for St. Xavier's High School, Sector 20, Panchkula (Hr.)

3. Counsel for the petitioners has also produced photocopy of rent agreement dated 31.03.2021 commencing from 01.04.2021 to 28.02.2022 of getting rental accommodation from one Smt. Baljinder Kaur, by petitioner No.1 of House No.317 A, Gali No.01, Haripur, Sector 4 Panchkula Haryana.

All the three documents, produced in Court today, are taken on

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record. Registry is directed to tag the same at appropriate place and page mark the same.

4. 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.

5. Learned counsel for the petitioners submits that petitioner No.1 – Farha Parveen, aged about 28 years and petitioner No.2 – Dharminder Singh, aged about 31 years, have solemnized marriage on 29.04.2023, against the wishes of their family members, arrayed as respondents No.4 to 8. Learned counsel for the petitioners further submits that it is the first marriage of both the petitioners. He also submits that petitioner No.1 being Mohammedan and petitioner No.2 being sikh, performed their marriage as per Sikh religion's rituals and ceremonies. It is only after the marriage that petitioner No.1 started her belief in Sikh religion. It has been 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 10.05.2023 (Annexure P-4), to respondent No.2 – Senior Superintendent of Police, SAS Nagar, Mohali, wherein, they have expressed their apprehension.

6. Notice of motion.

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

8. In view of the above, the present petition is disposed of with a direction to respondent No.2 – Senior Superintendent of Police, SAS Nagar,

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Mohali, to look into the representation dated 10.05.2023 (Annexure P-4), *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.

9. 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.

10. Respondent No.2 – Senior Superintendent of Police, SAS Nagar, Mohali, would also verify the factum of residence and the working of both the petitioners, as has been got recorded hereabove by the counsel for the petitioners.

(SANJAY VASHISTH)
JUDGE

May 25, 2023
k.nain

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