

2023:PHHC:158922

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

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CRWP-11751-2023 (O&M)
Date of Decision.:12.12.2023

Priyanjali Rai and Another

Petitioners

Vs.

State of Haryana and Others

Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Arjun Dhingra, Advocate
for the petitioners.

DEEPAK GUPTA, J. (ORAL)

CRM-W-1784-2023:

This is an application under Section 482 Cr.P.C. moved by the petitioners to place on record copy of certificate of conversation to Islam dated 29.10.2023 (Annexure P-5).

Allowed.

Annexure P-5 is taken on record.

Main Case.:

By way of this petition filed under Article 226 of Constitution of India, petitioners pray for granting them protection to life and liberty.

It is contended by learned counsel that petitioners performed marriage on 23.11.2023 in Qazi Molvi Hafiz Shah Yasin Fizan, Head Office Delhi, against the wishes of their family members. Both the petitioners are stated to be major. Copy of identity documents of both the petitioners are Annexure P-1 and Annexure P-2. Annexure P-3 is the marriage certificate issued by Qazi/Imam Masjid. Annexure P-4 is the copy of representation dated 24.11.2023, which was moved to respondent No.2- Commissioner of Police, Sector-21C, Faridabad.

Notice of motion to respondent Nos.1 to 3 only.

Mr. Parveen Kumar Aggarwal, DAG, Haryana accepts notice on behalf of respondent Nos.1 to 3-State. Copy of paper book be supplied to him during the course of day.

Learned State counsel opposes the petition by pleading that marriage is invalid inasmuch as petitioner No.1- Priyanjali Rai is a Hindu and she could not have performed marriage as per Muslim rites.

However, the objection is not sustainable as the certificate (Annexure P-5) placed on record by petitioners reveals that petitioner No.1 had converted to Islam as per her own wish.

Apart from above, this order is without any comment on the validity of the marriage. Let it be assumed that marriage of the petitioners is not valid as is contended by learned State counsel, still the petitioners being major, they have a right to live as per their wish in live-in-relationship and in that situation also, their life and liberty is liable to be protected.

As such, present petition is disposed of with a direction to respondent Nos.2 and 3 to provide necessary protection to the petitioners after assessing threat perception to their life.

Disposed of.

(DEEPAK GUPTA)
JUDGE

December 12, 2023

Neetika Tuteja

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No