

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-5406-2024 (O/M)

Date of decision : 06.06.2024

Farzana Parween and another

..... Petitioners

Versus

U.T. Administration, Chandigarh and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE HARSH BUNGER

Present :- Mr. K.S. Derawassi, Advocate
for the petitioners.

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HARSH BUNGER, J. (ORAL)

1. Prayer in the instant petition filed under Article 226 of the Constitution of India read with Section 482 Cr.P.C is for issuance of directions to respondents No. 2 and 3 to provide protection of life and liberty to the petitioners, who have married against wishes of private respondents No. 4 to 6.

2. Learned counsel for the petitioners submits that petitioner No. 1- Farzana Parween, aged about 18 years and petitioner No. 2-Monu, aged about 25 years have got married on 04.06.2024 according to Hindu rites and ceremonies, against wishes of the family members of petitioner No. 1 (Farzana Parween), arrayed as respondents No. 4 to 6. It has been submitted that petitioner No. 1 (Farzana Parween), who belongs to Muslim religion by birth changed her religion from Muslim community to Hindu religion on 04.06.2024. It has been further submitted that private respondents are threatening and trying to interfere in the marital life of petitioners. Hence, they are seeking protection in this regard and have approached this Court by way of filing the instant petition.

3. Notice of motion only to official respondents No. 1 to 3 is being issued, at this stage.

4. At the asking of Court, Mr. Sarvjit, Additional P.P, U.T. Chandigarh, who is present in the Court, accepts notice on behalf of respondents No. 1 to 3-State.

5. Given the nature of order being passed, there is no necessity to seek any response by official respondents No. 1 to 3 or even to serve private respondents No. 4 to 6.

6. In view of the above, present petition is disposed of with a direction to respondent No. 2-Senior Superintendent of Police, U.T. Chandigarh, to look into representation dated 04.06.2024 (Annexure P-9), qua threat perception, if any, and take necessary steps, if any required, in accordance with law to ensure that lives and liberties of the petitioners are not jeopardized at the hands of private respondents No. 4 to 6.

7. However, this direction shall not be construed to validate the marriage, said to have taken place between the petitioners and also the conversion of religion by petitioner No. 1 (Farzana Parween) from Muslim community to Hindu religion. This order shall also not be taken to protect the petitioners from legal action for violation of law, if any, committed by them and will have no effect on any civil or criminal action, which could be initiated in the matter in accordance with law.

(HARSH BUNGER)
JUDGE

06.06.2024
sjks

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No