



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

116

CRWP-12538-2024
Decided on : 24.12.2024

Rukaya Banoo and another
Versus
State of Punjab and others
... Petitioner(s)
... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Ankit Saini, Advocate
for the petitioner(s).
Mr. S.S. Gill, Sr. DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. 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. Learned counsel for the petitioners submits that petitioner No.1 – Rukaya Banoo, aged 22 years and petitioner No.2 – Noor Hasan, aged 30 years, have performed ‘Nikah’ on 22.12.2024, against the wishes of their family members, arrayed as respondents No.4 to 7. Learned counsel for the petitioners further submits that it is the first marriage of both the petitioners. It has been submitted that the private respondents are threatening to interfere in the matrimonial life of the petitioners, because though they are Muslims, but belong to different castes. 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 22.12.2024



(Annexure P-5), to respondent No.2 – Sr. Superintendent of Police, Hoshiarpur, wherein, they have expressed their apprehension.

- 3. Notice of motion to respondents No.1 to 3 only.
- 4. On advance notice, Mr. S.S. Gill, Sr. DAG, Punjab, appears on behalf of respondents No.1 to 3 (State).
- 5. In view of the above, the present petition is disposed of with a direction to respondent No.2 – Sr. Superintendent of Police, Hoshiarpur, to look into the representation dated 22.12.2024 (Annexure P-5), *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.
- 6. 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

December 24, 2024
J.Ram

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