

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

110

CRWP-4217-2021

Date of Decision : May 17, 2021

FARZANA BEGAM @ AMAN AND ANOTHER

.....Petitioners

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JASGURPREET SINGH PURI

Present : Ms. Bhavna Grewal, Advocate for the petitioners.

Through Video Conferencing

JASGURPREET SINGH PURI. J. (Oral)

The present petition has been filed under Article 226 of the Constitution of India seeking direction for protection of life and liberty of the petitioners at the hands of private respondents.

Learned counsel for the petitioners has submitted that the petitioner no.1 is 21 years of age and petitioner no.2 is 22 years of age and both of them are of marriageable age. She further submitted that they have got married to each other out of their free consent and although the petitioner no.1 was earlier Muslim by religion, she got converted into Hindu religion and, therefore, got married to petitioner no.2. She further submitted that the prayer of the petitioners is confined only for the grant of protection of life and liberty and the validity of the marriage was not the subject matter in the present case. She further submitted that the private respondents were opposed to the marriage and, therefore, there is an acute threat at the hands of private respondents and has prayed for protection of life and liberty. She has also relied upon a judgment of Division Bench of this Court in LPA-1678-2014, titled as '**Rajwinder**

CRWP-4217-2021

-2-

Kaur and another Vs. State of Punjab and others, to contend that even if the marriage between the petitioners inter-se is not valid, the right of protection of life and liberty is guaranteed under Article 21 of the Constitution of India and, therefore, has prayed for the issuance of such directions.

Notice of motion to respondent Nos.1 to 3.

Mr. Sidakmeet Sandhu, AAG, Punjab accepts notice on behalf of all the respondents and states that he has no objection in case the representation (Annexure P-4) given by the petitioners to Commissioner of Police, Jalandhar is considered in accordance with law.

I have heard the learned counsel for the parties.

The scope of the present petition is only regarding the protection of life and liberty of the petitioners and, therefore, the validity of the marriage cannot be a ground for denial of such protection.

Consequently, it is directed that the respondent No.3 shall look into the representation (Annexure P-4) and if so required shall ensure the protection of life and liberty of the petitioners pertaining to their lives. It is made clear that the present directions are being issued only for the purpose of protection of life and liberty of the petitioners and does not reflect anything whatsoever on the validity of the marriage.

In view of the above, the present petition is disposed of.

May 17, 2021
ajay-1

(JASGURPREET SINGH PURI)
JUDGE

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