

## Orders

<b>S.no.</b>	<b>Parties</b>	<b>Writ no.</b>	<b>Order date</b>	<b>Conclusion</b>
1.	Nagma Bano And Another vs State Of U.P. And 9 Others	C No. - 43526 of 2023	16.01.2024	The bench of Saral Srivastava dismissed the petition of the live-in interfaith couple requesting the court to pass an order ensuring non-interference and their peaceful existence, and imposed a fine of 10,000 on the petitioners. The court also gave unwarranted social and moral commentary on the whole issue. The petitioner in the case was forcefully remarried and had maintained that her previous nikahnama being forced, should be considered void. The bench argued that though her previous marriage might be illegal, the fact that she participated in nikahnama ceremony cannot be denied, and therefore seeking live-in with another person without divorcing the existing partner was socially not correct and law is bound to protect a person in such case.
2.	Ayesha Chauhan @ Ayesha Parveen And Another State Of U.P. And 5 Others	C No. - 10666 of 2023	10.1.2024	The parties in the case were interfaith couples (Hindu and Muslim) seeking police protection. The bench of Justice Saral Srivastava dismissed the petition on the ground that the petitioners failed to

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				<p>comply with the Uttar Pradesh Prohibition of Unlawful Conversion of Religion Act, 2021. The judgment does not cite any particular provision of the conversion law, but only makes a generic comment about non-compliance with the law. It does not cite any precedent while dismissing the case, which raises the question of misuse of judicial discretion, affecting the fundamental rights of the petitioners under Article 21. The judgement provides that petitioners can file a fresh appeal after solemnising their marriage, following the due procedure of law, but does not provide interim protection.</p>
3.	Anuradha And Another vs. State of U.P. And 3 Others	C No. - 44384 of 2023	16.1.2024	<p>In the present case, the petitioners were potentially granted police protection as they possessed valid marriage registration certification, with the caveat that in case the petitioners face any interference or threat, they may contact the local police station with the copy of this order and the police shall immediately provide the protection. Thus, though the protection is granted, the bench is not directly ordering the police to provide the security, rather the petitioners have</p>

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				to approach the police for the same (this is same for all the cases where the protection is granted). The court relied on Gian Devi vs The Superintendent, Nari Niketan, Lata Singh vs State of UP, Bhagwan Dass v. State (NCT of Delhi) and Deepika v. State of U.P. while granting the protection.
4.	Farha B Alias Farha B Kumar And Another State Of U.P. And 4 Others	C No. - 22121 of 2023	11.1.2024	It is an identical order by the bench of Justice Saral Srivastava dismissing the petition of interfaith couples (Hindu and Muslim) for police protection. The judgement maintained that petitioners failed to comply with the Uttar Pradesh Prohibition of Unlawful Conversion of Religion Act, 2021, but does not cite any particular provisions of the law. This also makes it difficult to ascertain whether the conversion law would be application or not in the first place. The judgment seems to interlink conversion and marriage, and fails to provide interim protection to couples merely on the ground of non-compliance with conversion law, effectively choking off the rights of the petitioners under Article 21.
5.	Mariya Zameel Urf	C No. - 1067 of 2024	05.03.2024	The bench of Justice Renu Agarwal dismissed the

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	Riya And Another vs. State Of Up And 3 Others			protection plea of the interfaith couples in the case, and further noted that even live-relationship and relationships in the nature of marriage will be covered under UP's conversion law. The judgement notes that after implementation of UP's conversion law, the couples intending to convert must seek conversion as per the provisions of the law, which they did not do. Therefore, the court is not bound to protect such relationships. The judgement is problematic as it is linking the requirements of conversion as a condition for granting police protection. It also suggests that judgment is driven by social mores, as evident from the statement of the bench which noted that such relationship is "not considered desirable" to be protected in contravention of statutory provisions of the law.
6.	Khushboo Pandey And Another State Of U.P. And 3 Others	C No. - 37806 of 2023	10.1.2024	The bench of Saral Srivastava denied the police protection to the couple arguing that it does not have a jurisdiction over the matter, as the interfering party is from outside the state (Satna, MP). The reason seems absurd as the petitioners were living in Banda, Uttar

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				Pradesh, where the police protection could have been granted. Instead, the judgement asks the couple (who were residing in UP) to approach the “appropriate court” to seek police protection from the MP police!
7.	Smt. Kajal Rani And Another State Of U.P. And 4 Others	C No. - 38030 of 2023	16.1.2024	The bench of Justice Saral Srivastava dismissed the police protection plea of the petitioner arguing that no proof of marriage is on record, thus no protection can be granted. The identity of the petitioners does not reveal that it is an interfaith marriage but the judge nonetheless denied the protection, merely citing the lack of valid proof of marriage. This reveals that not only interfaith couples, but even couples without valid marriage registration proofs (who might be from same religion) are denied the protection of the law.
8.	Smt. Sariya And Another State Of U.P. And 3 Others	C No. - 39216 of 2023	10.1.2024	The judgment dismissed the plea for police protection of the couple (we don't know it is interfaith or not) merely on the ground that FIR is already registered in the case, and in view of that fact no relief can be granted. It is difficult to comprehend how the registration of FIR can be ground for denying police

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				protection and there is no reasoned argument made for the same for the bench.
9.	Shailja Chaudhary And Another vs. State Of U.P. And 3 Others	C No. - 17007 of 2023	12.01.2024	The bench of Saral Srivastava dismissed the petition requesting the court to pass an order ensuring protection of personal liberty of the couple. The order noted that the petitioners did not contact the concerned authority in the first place, and there was no visible threat to the couple requesting the protection. In such cases, one might very well question the role of the court in assessing whether the threat exists or not, and not trusting the couple.