

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

**CRM No.M-20418 of 2015(O&M)
Date of Decision: June 25, 2015**

Saveena and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

--

Present: - Mr.Lovkesh Gupta, Advocate
for the petitioners.

Mr.Neeraj Yadav, AAG, Punjab.

-

HARINDER SINGH SIDHU, J.

Prayer in this petition, filed under Section 482, Cr.P.C., is for issuance of directions to respondent Nos.1 to 3 to protect lives and liberty of the petitioners at the hands of respondent Nos.4 to 6. The petitioners contend that they being major are residing in live-in-relationship at New Jawala Nagar, Near Baba Kala Mahal, Maqsoodan, Jalandhar. They further submit that respondent Nos.4 to 6 are not happy with the inter se relationship of the petitioners and adamant to separate them by resorting to illegal means. It has also been contended that in view of the imminent danger to their lives and liberty, they have already moved the representation (Annexure P-3) before the Commissioner of Police, Jalandhar.

It has been averred that the date of birth of petitioner No.1

CRM-M-20418-2015

[2]

is 12.12.1996 and date of birth of petitioner No.2 is 1.1.1995 and copies of birth certificate of petitioner No.1 and Middle examination certificate of petitioner No.2, to this effect are attached as Annexures P-1 and P-2 respectively.

As per the documents Annexures P-1 and P-2, both the petitioners are major and, as such, they are free to live in accordance with their free will and no third person has a right to peep into and disturb their personal life. Similarly, no person has a right to cause any harm to the petitioners.

In a latest pronouncement, Hon'ble the Supreme Court in the matter of **Indra Sarma v. V.K.V. Sarma, 2014 (1) R.C.R. (Civil) 263**, held that live-in or marriage-like relationship is neither a crime nor a sin though socially unacceptable in this country. The decision to marry or not to marry or to have a heterosexual relationship is intensely personal.

In **Lata Singh v. State of U.P. and another, 2006 (3) R.C.R. (Criminal) 870**, in para 14 of the judgment, Hon'ble the Supreme Court held that "this case reveals a shocking state of affairs. There is no dispute that petitioner is major and was at all relevant times a major. Hence, she is free to marry anyone she likes or live with anyone she likes. There is no bar to an inter-caste marriage under the Hindu Marriage Act or any other law. Hence, we cannot see what offence was committed by the petitioner, her husband or husband's relatives."

Keeping in view the rights and liberty of the petitioners enshrined by the law of the land, but without recognizing the relations of the petitioners, the present petition is disposed of with a direction to the respondent No.2 – Commissioner of Police, Jalandhar to take action as warranted by law on the representation dated 17.6.2015 (Annexure P-3) moved by the petitioners.

June 25, 2015

gian

**(HARINDER SINGH SIDHU)
JUDGE**