

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

**CRWP No.1525 of 2020
Date of Decision:-12.02.2020**

Sarabjeet Kaur and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Karan Singh, Advocate
for the petitioners.

JASGURPREET SINGH PURI J.(Oral)

The present petition has been filed under Articles 226/227 of the Constitution of India by the petitioners seeking issuance of an appropriate writ, order or directions to the official respondents for protection of their life and liberty from the hands of private respondents.

Learned counsel for the petitioners has argued that petitioner No.1 was earlier married with one Satnam s/o Mangat Singh forcibly by her parents and that she is not living with said Satnam and is now living with petitioner No.2-Tarsem Lal. Petitioner No.1 is stated to be aged of 20 years whereas petitioner No.2 is stated to be of 21 years. Learned counsel for the petitioners has further argued that in the present case there is threat from the

private respondents because they are not happy with the conduct of the petitioner No.1 so far as she has left her husband Satnam and is living with petitioner No.2-Tarsem Lal.

Learned counsel for the petitioners has also relied upon the judgment of the Hon'ble Supreme Court in **Nandakumar and another vs. State of Kerala and others** 2018(2) RCR (Civil) 899 wherein it was held that even if the boy and girl are not competent to marriage, still they have a right to live together even outside the wedlock. He has further referred to the judgment of the co-ordinate Bench of this Court in **Urmila vs. State of Haryana**, decided on 04.7.2019 in CWP-17835-2019, wherein it is held that when the girl has gone out of the wedlock and residing with somebody else and if there is apprehension to their life and liberty, still the Court would issue directions with regard to the protection of their life and liberty.

Notice of motion.

On asking of the Court, Mr. Sarabjit Singh Cheema, AAG, Punjab accepts notice on behalf of State. Learned counsel for the petitioners has supplied the requisite number of copies of paper book to learned State counsel.

Without ascertaining the correctness of averments made in the present petition and without any opinion with regard to the relationship between petitioners No.1 and 2, this petition can be disposed of by granting liberty to the petitioners to approach respondent No.2-Commissioner of Police, Ludhiana, Punjab with a prayer, confined only on the aspect of protection of their life and liberty.

In case the petitioners file any such application or approach respondent No.2, then respondent No.2 would look into the matter and thereafter take steps as he may deem fit in accordance with law.

Accordingly the petition is disposed of.

February 12, 2020
Vijay Asija

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No