

115

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRWP No.3697 of 2020
Date of Decision: 12.06.2020

Sarita and another

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Gaurav Gupta, Advocate,
for the petitioners.

SUDIP AHLUWALIA, J. (ORAL)

Both the petitioners are present in person and identified by their counsel. They seek protection of their life and liberty by contending that both of them having attained the age of majority, are living together in a live-in-relationship against the wishes of their respective family members respondent Nos.4 to 6, and so seek appropriate protection from the authorities. They submitted a representation (Annexure P-4) in this regard to the Senior Superintendent of Police, SAS Nagar, District SAS Nagar, Mohali on 10.06.2020, but are still apprehensive about their security in view of the apparent inaction and alleged clout of their family members-respondents.

2. Undisputedly, petitioner No.1 has crossed the age of majority as seen from the copies of her Matriculation Certificate and Aadhaar Card (Annexures P-1 and P-2) and petitioner No.2 is admittedly 20 years of age

according to his Aadhaar Card (Annexure P-3). Therefore, they certainly appear to have attained the age of discretion. In identical circumstances, a Co-ordinate Bench of this Court had allowed a similar petition on the ground that since the relief is restricted only to protection of life and liberty, this Court, in exercise of its inherent jurisdiction under Section 482 of the Cr.P.C., is not required to go into the validity of the marriage between the concerned parties (“*Neelam Rani and another Vs. State of Haryana and others*” 2011(1) R.C.R. (Civil) 636).

3. For the aforesaid reasons, this appears to be a fit case for this Court to invoke the inherent powers under Section 482 of the Cr.P.C. and in view of the mandate contained in Article 21 of the Constitution of India to protect the citizen's right to life and liberty.

4. Thus the Senior Superintendent of Police, SAS Nagar, District SAS Nagar, Mohali is directed to consider the representation dated 10.06.2020 (Annexure P-4) and take appropriate steps to ensure that no harm is caused to the life and liberty of the petitioners.

5. It is, however, observed that the petitioners would not be entitled to any protection against their arrest or continuance of any criminal proceedings, if otherwise, found to be involved in punishable cognizable offence.

6. The petition is disposed off with the above direction.

12.06.2020

Apurva

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/ reasoned : Yes/ No
2. Whether reportable : Yes/ No