

Sr.No.107

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

CRWP-5498-2020

Date of decision:31.07.2020

Amarjeet Kaur @ Raman and another

... Petitioner(s)

versus

State of Punjab and others

... Respondent (s)

Coram: Hon'ble Mr. Justice Jasgurpreet Singh Puri

Present: Ms. Manu Loona, Advocate
for the petitioners.

Jasgurpreet Singh Puri, J.(Oral)

Present petition has been filed under Article 226 of the Constitution of India read with Section 482 Cr.P.C with a prayer seeking direction to the official respondents No.2 and 3 for grant of protection of life and liberty of the petitioners.

Learned counsel for the petitioners has argued that petitioner No.1 who is 33 years of age is already married and has intended to file divorce proceedings against her husband who is respondent No.4 in the present petition. He has further referred to the pleadings made in the petition itself that the private respondents gave bad and inhuman treatment by beating, humiliating and torturing petitioner No.1. Therefore, she is now in live-in relationship with respondent No.2 with whom she intends to marry after getting divorce from her husband (respondent No.4).

Learned counsel for the petitioners has further stated that he is confining his prayer only to the extent of the protection of life and liberty of the petitioners and he is not making any prayer with regard to the validity of the marriage of petitioner No.1 with respondent No.4 or the validity of any

kind of relationship of petitioners *interse*.

Notice of motion to the office of Advocate General Punjab.

On asking of the Court, Mr. H.S.Sitta, AAG, Punjab, accepts notice on behalf of State of Punjab. Learned State counsel has very fairly stated that so far as the protection of life and liberty is concerned, State would certainly under an obligation to provide the protection of life and liberty subject to assessment of threat perception and he has further submitted that no comments can be made with regard to the validity of the relationship of the petitioners.

I have heard the learned counsel for the parties.

Learned counsel for the petitioners has confined his prayer only with regard to threat to their life and personal liberty. Even otherwise, also this Court would not enter into the controversy with regard to the validity of the marriage of petitioner No.1 with respondent No.4 or with regard to the validity of relationship between the petitioners *interse*.

This Court would interfere only with regard to the protection of life and personal liberty of the petitioners and nothing beyond that. In view of the above circumstances, this Court deems it fit and appropriate to direct respondents No.2 and 3 to assess the threat perception of the petitioners and thereafter, in case any threat perception exists then appropriate action may be taken in accordance with law.

Disposed of.

31st July, 2020

Shivani Kaushik

[JASGURPREET SINGH PURI]
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>