

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**CRWP-6544-2020****(Heard through VC)****Date of decision: 28.08.2020****Manjit Kaur and another****....Petitioners****V/s.****State of Punjab and others****.....Respondents****CORAM: HON'BLE MS. JUSTICE RITU BAHRI.**

Present: Mr.S.S.Maini, Advocate
for the petitioners.

**********Ritu Bahri, J. (Oral)**

By this petition, the petitioners are seeking direction to respondents No. 1 to 3 to protect their lives and personal liberty from the hands of respondents No. 4 to 16 and further to ensure that they may not be harassed by respondents No. 4 to 16 in any manner.

The brief facts of the case are that petitioner No. 1 is already married with respondent No. 4, who harassed her a lot and respondents No. 5 to 16 never came forward to help her. There is one child born out of this wedlock. However, petitioner No.1 has left the house of her husband and started living with petitioner No. 2 (who is an unmarried boy) alongwith her minor child against the wishes of respondents No. 4 to 16.

Learned counsel for the petitioners refers to Aadhar cards (Annexures P-1 and P-2) to show that both the petitioners are major. Respondent Nos. 4 to 16 are threatening petitioner No. 1 for developing live in-relationship with petitioner No. 2, as they are against the live-in relationship.

Learned counsel for the petitioners is relying upon judgment of Hon'ble the Supreme Court of India in a case of ***Joseph Shine vs. Union of India***, 2018 (2) RCR (Civil) 899 wherein Hon'ble the Supreme Court has held that even if boy and girl are not competent to enter into wedlock, they have right to live together even outside wedlock. It would not be out of place to mention that 'live-in-relationship' is now recognized by the Legislature itself which has found its place under the provisions of the Protection of Women from Domestic Violence Act, 2005 and hence petitioners have right for protection.

Notice of motion.

Mr. M.S. Dullat, Additional Advocate General, Punjab accepts notice on behalf of the official respondents.

Keeping in view of aforesaid judgment, this petition is being disposed of by giving direction to respondent No.2-Superintendent of Police, District Moga and respondent No. 3-Station House Officer, Police Station Nihal Singh Wala, District Moga to look into representation dated 21.08.2020 (Annexure P-4) and grant protection to the petitioners in accordance with law expeditiously.

28.08.2020

Divyanshi

**RITU BAHRI
(JUDGE)**

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No