

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

CRWP No.6651 of 2020 (O&M)
DATE OF DECISION: 01.09.2020

Amandeep KaurPetitioner

Versus

State of Punjab and othersRespondents

CORAM:- HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Piyush Sharma, Advocate for the petitioner

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ALKA SARIN, J.: (Oral)

Heard through video conferencing.

The present petition has been filed under Articles 226/227 of the Constitution of India for issuance of directions to respondent Nos.2 and 3 to protect the life and liberty of the petitioner namely, Amandeep Kaur, at the hands of the private respondents Nos.4 to 6.

The brief facts relevant to the present case are that the petitioner, who is major and aged about 33 years, was being forced to get married against her wishes and, therefore, she was constrained to run away from the house. She is now stated to be living in a relationship with one Pargat Singh son of Jallandhar Singh. However, respondent Nos.4 to 6 are against the said relationship and have been threatening her.

Notice of motion.

On the asking of the Court, Mr. Ramandeep Sandhu, Senior Deputy Advocate General, Punjab has put in appearance through video conferencing and accepts notice on behalf of official respondent Nos.1 to 3.

Heard learned counsel for the parties.

In the present case, the petitioner has approached this court for protection of her life and liberty as enshrined under Article 21 of the Constitution of India. Though she has stated that she is in a live-in-relationship with one Pargat Singh and that she is being threatened by respondent Nos.4 to 6, however, the said Pargat Singh has chosen not to be a party to the present petition.

The only question before this Court would be whether the petitioner is to be granted protection to allay her fears of being harassed and threatened at the hands of respondent Nos.4 to 6.

Article 21 of the Constitution of India guarantees protection of life and personal liberty. It lays down that no person shall be deprived of his or her life and personal liberty except according to the procedure established by law. In the present case, the petitioner has approached this Court seeking protection of her life and liberty. Irrespective of her relationship status, the petitioner as an individual having approached the Court for protection of her life and liberty as enshrined under Article 21 of the Constitution of India, this Court is duty-bound to ensure that no person is deprived of his or her life and personal liberty except according to the procedure established by law. The Court in this case is not dealing with the validity or the social acceptance of the relationship of the petitioner and is only concerned with the individual's right to her life and liberty.

In view of the above, the present petition is disposed of with a direction to the Senior Superintendent of Police, Moga - respondent No.2 - to decide the representation dated 17.08.2020 (Annexure P-2) submitted by the petitioner seeking protection of her life and liberty in accordance with law. It is, however, made clear that any observation made above shall

neither be treated as a stamp of this Court qua the relationship of the petitioner with the said Pargat Singh nor as an expression of opinion on the contentions raised in the present petition. The present order shall have no effect/bearing on any other civil or criminal proceedings, if any, instituted/pending against the petitioner.

The petition is disposed of.

**(ALKA SARIN)
JUDGE**

01.09.2020
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NOTE:

**Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO**