

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

CRWP No. 7127 of 2020
Date of decision 11.09.2020

Ajay Kumar and anr.

...Petitioners

Vs.

State of Haryana and ors.

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Pankaj Kaushik, Advocate,
for the petitioners.

Ritu Bahri, J. (Oral)

This petition under Section 226 of the Constitution of India is for issuance of direction to respondent Nos. 1 and 2 to protect the life and liberty of the petitioners and further to ensure that they may not be harassed by respondent Nos. 3 to 6.

Learned counsel submits that the petitioners are major. Respondent Nos. 3 to 6 are threatening petitioner No. 1 for developing live-in-relationship with petitioner No. 2, as they are against the live-in-relationship.

Petitioners are well known to each other since 10 months and wanted to live-in-relationship and spend their life together. Learned counsel for the petitioners is relying upon judgment of Hon'ble the Supreme Court of India in a case of *S. Khushboo vs. Kanniammal (2010) 5 SCC 600* wherein Hon'ble the Supreme Court has held that a living relationship comes within the ambit of right to life under Article 21 of the Constitution

of India. It was further held that live-in-relationship is permissible and the act of two major living together cannot be considered illegal or unlawful.

Issue notice of motion

On asking of the Court, Ms. Sheenu Sura, D.A.G., Haryana accepts notice on behalf of respondent-State

Reference at this stage can further be made to judgment of Hon'ble the Supreme Court 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.

Keeping in view the above mentioned judgments, this petition is being disposed of by giving liberty to the petitioners to approach respondent No.2, for protection, as per the instructions dated 21.04.2011 issued by the Home Department, Haryana, who will look into their representation dated 07.09.2020 (P-3).

11.09.2020
G Arora

(RITU BAHRI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No