

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRWP No. 8768 of 2020 (O&M)

Date of decision : 11.12.2020

...

Ashwani and another

.....Petitioners

vs.

State of Haryana and others

.....Respondents

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr. Neeraj Kumar, Advocate
for the petitioner.

Mr. Karan Garg, Assistant Advocate General, Haryana.

Mr. Sanyam Batra, Advocate for
Mr. Rahul Jaswal, Advocate for respondents No. 4 and 5.

...

H. S. Madaan, J. (Oral)

Case taken up through video conferencing.

Written reply filed.

As per written reply filed by the official respondents, FIR No. 641 dated 22.10.2020 under Sections 363/366-A IPC, has been registered at Police Station Samalkha, District Panipat, against petitioner No.1 Ashwani, lodged by father of girl, namely Ramehar.

This petition for protection has been filed by Ashwani aged about 23 years and Priyul aged about 17 ½ years. When this petition came up for hearing before a Co-ordinate Bench, it was observed that petition has been moved by petitioners to save their life and liberty from the hands of respondents No. 4 to 9, on the ground that they are

in live-in-relationship. It was further observed that Priyul is less than 18 years of age, as such comes within the definition of Child. Therefore, she was directed to be sent to nearby State Protection Home of District Sonapat. With regard to petitioner No.1 – Ashwani, facing threat from side of private respondents, it was observed that he was at liberty to approach respondent No.2 - S.P. Sonapat, for redressal of his grievances.

Even otherwise, the Court is not to put seal of approval on live-in-relationship by granting protection to the persons concerned. Petitioner No.2 is a minor, as mentioned in the petition itself. Though learned counsel for the petitioners has filed an application alongwith copy of the birth certificate said to be that of petitioner No.2, showing her date of birth as 16.5.2000, but authenticity of that certificate is not established and Mr. Neeraj Kumar, Advocate, representing petitioners, himself mentioning age of petitioner No.2 to be more than 17 ½ years, cannot suddenly come up with the arguments that she is major and not a minor. Live-in-relationship, more particularly, when the girl is a minor, is not only taken to be as immoral, against social norms, but is also not legally acceptable.

In view of the above, the petition being without any merit is doomed for failure and is dismissed accordingly.

11.12.2020
chugh

(H.S. Madaan)
Judge

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