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

CRWP-9827-2020

Date of Decision: 26.11.2020

Kajal and another

..... Petitioners

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Munish Mittal, Advocate,
for the petitioners.

Mr. Rajat Garg, Advocate,
for respondents No.4 to 7.

SUDIP AHLUWALIA, J. (ORAL)

Both the petitioners are present in person and identified by their Counsel through Video Conferencing. They seek protection of their life and liberty by contending that both of them are living together in a live-in-relationship against the wishes of their respective family members respondent Nos.4 to 7, and so seek appropriate protection from the authorities. They submitted a representation (Annexure P-5) in this regard to the Superintendent of Police, Karnal, on 21.11.2020, but are still apprehensive about their security in view of the apparent inaction and alleged clout of their family members-respondents.

2. Undisputedly, petitioner No.1 has crossed the age of majority as seen from the copies of her Secondary Examination Certificate and Aadhaar Card (Annexures P-1 and P-2) and petitioner No.2 is admittedly 20

years of age, according to his Secondary Examination Certificate and Aadhaar Card (Annexures P-3 and P-4). Therefore, they certainly appear to have attained the age of discretion. In identical circumstances, a Co-ordinate Bench of this Court had allowed a similar petition on the ground that since the relief is restricted only to protection of life and liberty, this Court, in exercise of its inherent jurisdiction under Section 482 of the Cr.P.C., is not required to go into the validity of the marriage between the concerned parties (*“Neelam Rani and another Vs. State of Haryana and others” 2011 (1) R.C.R. (Civil) 636*).

3. For the aforesaid reasons, this appears to be a fit case for this Court to invoke the inherent powers under Section 482 of the Cr.P.C. and in view of the mandate contained in Article 21 of the Constitution of India to protect the citizen's right to life and liberty.

4. Thus the Superintendent of Police, Karnal, is directed to consider the representation dated 21.11.2020 (Annexure P-5) and take appropriate steps to ensure that no harm is caused to the life and liberty of the petitioners.

5. Mr. Rajat Garg, Advocate, appears through Video Conferencing on behalf of respondents No.4 to 7 and undertakes to file his Power of Attorney during the course of the day. He submits that while he cannot oppose the prayer made on behalf of the petitioners, particularly petitioner No.1, who is the own daughter of respondent No.4 and has crossed the age of majority, however, the concerned respondents No.4 to 7, seek indulgence to meet the said petitioner No.1, once.

6. The aforesaid request does appear to be reasonable, considering the close relationship between the parties. Consequently, respondent

No.4/Father of petitioner No.1 is permitted to meet her in the Office of Mr. Munish Mittal, Advocate, Ld. Counsel for the petitioners, tomorrow at any convenient time to be decided by Counsel for both sides.

7. It is nevertheless clarified that this order is issued only on the premise that petitioner No.1 (girl) has crossed the age of majority as seen from the documents placed on record. However, they would not be entitled for any protection against their arrest or continuance of any criminal proceedings, if otherwise, found to be involved in commission of any cognizable offence(s).

8. The petition is disposed off with the above direction.

26.11.2020

Apurva

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned: Yes/No

2. Whether reportable: Yes/No