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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-10944-2020
Date of Decision : 30.12.2020

Sujata and another Petitioners
Versus

State of Punjab and others Respondents

CORAM : HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present : Mr. Avtar Singh Bhatti, Advocate for the petitioners.

ASHOK KUMAR VERMA, J. (Oral)

The matter has been taken up through video-conferencing on account of outbreak of Pandemic COVID-19.

Through this petition under Article 226/227 of the Constitution of India, prayer has been made for issuance of direction to respondents No.1 to 3 to protect the life and personal liberty of the petitioners from the hands of respondents No.4 to 25 as they live in relationship.

Learned counsel for the petitioners contends that both the petitioners are major and they have right to live their life on their own terms. However, the private respondents are adamant to separate them from each other by resorting to illegal means. Learned counsel further submits that in view of imminent danger to the life and liberty of the petitioners, petitioners have moved a representation dated 24.12.2020 (Annexure P-4) to respondent No.2-Senior Superintendent of Police, Gurdaspur.

Notice of motion to official respondents No.1 to 3 only at this stage.

On the asking of the Court, Mr. Bhupinder Beniwal, AAG, accepts notice on behalf of respondents No.1 to 3. Mr. Amritpal Singh

Sohal, Advocate has filed power of attorney on behalf of respondents No.4, 5 and 7 on his own as notice of motion has not been issued to said respondents.

I have heard learned counsel for the petitioners and the State and perused the paper book.

Having regard to the facts and circumstances of the case, I am of the view that the petitioners are at liberty to live together being major and no person shall be permitted to interfere in their peaceful living as right to life is a fundamental right under Article 21 of the Constitution of India which mandates that no person shall be deprived of his right to life and personal liberty.

In view of the above, this petition is disposed of with a direction to respondent No.2-Senior Superintendent of Police, Gurdaspur, to look into the representation dated 24.12.2020 of the petitioners (Annexure P-4) for seeking protection of life and liberty and if necessary, requisite steps be taken strictly in accordance with law for grant of protection of life and liberty of the petitioners.

30.12.2020
mamta

(ASHOK KUMAR VERMA)
JUDGE