

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRWP-398-2021

Date of Decision: 14.01.2021

Sarbjeet Kaur and another

....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present : Mr. Karandeep Singh, Advocate,
for the petitioners.

Through Video Conferencing

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Articles 226/227 of the Constitution of India, with a prayer for issuance of a writ, order or direction to the official respondents to protect the life and liberty of the petitioners at the hands of private respondents.

The learned counsel for the petitioners has argued that in the present case, petitioner No.1 namely, Sarbjeet Kaur, who is aged 27 years is having a live-in relationship with Harpreet Singh (respondent No.2), who is of the age of 23 years. He has further submitted that petitioner No.1 is married with one Nanak Singh but right from the beginning, he had been giving beatings to her and at one point of time he had even shunted her out from his house and had always been at the influence of liquor and had also been threatening to kill her. The aforesaid incident made the life of petitioner No.1 as miserable and she had no place to stay. The learned counsel further submitted that petitioner No.1 although, is not divorced with her husband but there was no place for her to stay. Thereafter, petitioner No.

2 helped her and given her place to stay and therefore, both of them started living in live-in relationship to sustain her life.

The learned counsel for the petitioners has further submitted that the present petition has been filed only for the purpose of grant of protection of life to the petitioners because there is an active threat at the hands of private respondents, especially respondent No.4, who is husband of petitioner No.1. He has further submitted that the petitioners had given a representation dated 03.01.2021 (Annexure P-3) to Senior Superintendent of Police, Fazilka, but no action has been taken in this regard.

Notice of motion to respondents No. 1, 2 and 3.

On the asking of the Court, Mr. Luvinder Sofat, AAG, Punjab, accepts notice on behalf of the State of Punjab and states that he has no objection in case the present petition is disposed of with a direction to Senior Superintendent of Police, Fazilka to look into the representation of the petitioners and to take such measures in accordance with law.

I have heard learned counsel for the parties.

It is a case where both the petitioners are having a live-in relationship with each other and it is submitted by the learned counsel for the petitioners that it was because of compelling circumstances that petitioner No.1 was shunted out from her matrimonial house and petitioner No.2 had helped her to save her life and now the private respondents are threatening the petitioners and there is a possibility that they may even kill the petitioners.

Therefore, considering the submissions made by the learned counsel for the petitioners instead of calling for the reply of the State of Punjab, the present petition can be disposed of with a direction to the Senior

Superintendent of Police, Fazilka, to look into the representation (Annexure P-3) filed by the petitioners and to take such other measures, if so required in accordance with law within a period of two weeks from the date of receipt of certified copy of the present order, so as to protect the life of the petitioners.

It is made clear that these aforesaid directions are made only limited to the protection of life of petitioners and it does not in any way put any seal on the *inter-se* relationship between the petitioners.

Consequently, the present petition is disposed of.

(JASGURPREET SINGH PURI)
JUDGE

14.01.2021
adhikari

Whether speaking/non-speaking	:	Yes/No
Whether reportable	:	Yes/No