

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRWP-6180-2021

Date of Decision: 06.07.2021

Neha Rani and another

....Petitioner(s)

Versus

State of Punjab and others

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Surmeet Singh Sandhu, Advocate, for the petitioner,.

Through Video Conferencing

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Article 226 of the Constitution of India seeking issuance of necessary direction to respondent Nos.1 to 3 to protect the life and liberty of the petitioners, which is endangered at the hands of respondent Nos.4 to 6.

The learned counsel for the petitioners has submitted that petitioner No.1-girl is 21 years of age and is of marriageable age, whereas, the petitioner No.2 is 31 years of age and he is already married. However, the wife of petitioner No.2 lived with him only for 10 days and had left the matrimonial home and thereafter a Panchayati divorcee was effected between the parties. It is submitted that although there is no legal sancity of the divorce but the same was a reason as to why both the petitioners could not get married to each other unless the divorce is legally granted in

accordance with law. He submitted that the relationship between the petitioners is in the nature of live-in-relationship and both the petitioners are major and of marriageable age and the private respondents, who were the parents and relatives of the girl are repeatedly threatening both the petitioners that they will be killed in case they live with each other. The learned counsel submitted that both the petitioners being major have a right to live with anybody and the private respondents cannot threaten the petitioners who were living with each other according to their own wish. He submitted that the petitioners have also filed a representation (Annexure P-3). The learned counsel also relied upon a Division Bench judgment of this Court in '**Rajwinder Kaur and others Vs. State of Punjab**' [2014(4) RCR (Criminal) 785] to contend that the validity of marriage or relationship would not be an embargo for the grant of protection of life. He has submitted that the scope of the present petition is confined only to grant of protection of life to the petitioners.

Notice of motion to respondent Nos.1 to 3.

Mr. Randhir Singh Thind, learned Deputy Advocate General, Punjab accepts notice on behalf of the aforesaid respondents and states that he has no objection in case the representation (Annexure P-3), which has been filed by the petitioners be considered in accordance with law by the concerned authorities.

I have heard the learned counsel for the parties.

In the present case, the petitioners are in a live-in-relationship *inter se*. The petitioner No.2-boy is already married but is not living with his wife. The scope of the present petition is confined only to grant of protection of life to the petitioners.

In view of the above, it is directed that the respondent No.2 shall look into the representation (Annexure P-3) filed by the petitioners and assess the threat perception of the petitioners and in case so required, to ensure the protection of life of the petitioners in accordance with law.

It is made clear that the scope of the present petition pertains only qua the protection of life to the petitioners and does not in any way reflect anything on the inter se relationship between the petitioners or any other relationship with anyone whatsoever. It is further made clear that the order passed in this case would not preclude the police to take any action in accordance with law which is otherwise permissible under the law.

The present petition is disposed of accordingly.

06.07.2021.

rakesh

**(JASGURPREET SINGH PURI)
JUDGE**

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