

Monika and another

.....Petitioner

Vs.

State of Haryana and others

....Respondents

CORAM : HON'BLE MR.JUSTICE AMOL RATTAN SINGHPresent: Mr. Rajender Kumar, Advocate,
for the petitioners .

Mr. Neeraj Poswal, AAG, Haryana.

Ms. Sukhveer Kaur, Advocate,
for respondent no.4.**AMOL RATTAN SINGH, J. (Oral)**

On September 15, 2021, the following order had been passed by
this court:-

“By this petition, the petitioners seek protection of life and liberty at the hands of respondents no.4 to 7, upon the petitioners being in live-in relationship with each other (as contended).

Learned counsel for the petitioners submits that though petitioner no.1 is married to respondent no.4, she has decided to leave his company and lives with petitioner no.2, she in any case being well above the age of majority.

He submits that on account of the live-in relationship between the petitioners their lives and liberty are at threat at hands of respondents no.4 to 7.

Notice of motion be issued to the respondents.

Mr.Neeraj Poswal, AAG, Haryana, accepts notice at the asking of the court on behalf of respondents no.1 to 3.

A copy of the petition be supplied to him today itself by learned counsel for the petitioners.

Respondents no.4 to 7 be served by way of normal process.

A gazetted officer is directed to file at least a short affidavit stating therein as to whether the petitioners are actually of the age of majority or not because by way of “proof of age” other than their Aadhar Cards no other documentary proof has been annexed with the petition, with an Aadhar Card not being firm proof of age as no firm proof of age is usually asked for at the time of issuance of such cards.

However, protection of life and liberty being a basic fundamental right enshrined in Article 21 of the Constitution of India, respondents no.2 and 3 would ensure that the lives and liberty of the petitioners are duly protected.

It is to be noticed that upon specific query to learned counsel for the petitioners, he submits that they are not in any prohibited *sapinda* relationship to each.

Adjourned to 06.10.2021.”

An affidavit dated 04.10.2021 has been filed by the ACP, Panchkula, which is ordered to be taken on record.

Learned State counsel points out that as regards petitioner no.1, it was found that her date of birth is 01.01.1992, (thereby making her about 29 years of age), though it has not been stated at all by the ACP, as to from where her age was determined.

As regards petitioner no.2, it has been stated that he has given a false address in the memo of parties and consequently his particulars could not be found out.

Today, learned counsel also appears for respondent no.4, i.e. the husband of petitioner no.1, however, counsel for the petitioners wishes to withdraw this petition.

Though, simply for deliberately furnishing a wrong address before this court in the memo of parties, petitioner no.2 should be penalised by this court itself, however, since he is withdrawing the petition, with no comment made on the merits thereof this petition is dismissed as having been withdrawn.

November 25, 2021

dharamvir

**(AMOL RATTAN SINGH)
JUDGE**

Whether speaking/reasoned : YES

Whether Reportable : NO