

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

107

CRWP No.8849 of 2021
Date of Decision: 16.09.2021

Jagseer Singh and another

....Petitioners

VERSUS

State of Punjab and others

....Respondents

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Ranjeet K. Jaswal, Advocate for the petitioners.

ALKA SARIN, J. (Oral)

Heard through video conferencing.

The prayer in the present petition under Articles 226 and 227 of the Constitution of India is for issuance of a writ in the nature of *mandamus* directing respondent nos.1 to 3 to provide adequate security to the petitioners.

Learned counsel for the petitioners would contend that the petitioners are in a live-in-relationship. It has further been contended that both the petitioners are major. Petitioner no.2 was earlier married to one Davinder Partap Singh on 16.09.2018 and no child was born from the said wedlock. A petition has been filed by petitioner no.2 and Davinder Partap Singh under Section 13-B of the Hindu Marriage Act, 1955 in which first motion joint statement has already been recorded. Learned counsel has further relied upon order dated 03.09.2021 passed by this Court in ***CRWP No.7874 of 2021 (Paramjit Kaur & Anr. vs. State of Punjab & Ors.)*** to contend that by living in a live-in-relationship the petitioners cannot be said to have committed any offence. Learned counsel further contends that

petitioners have no threat from their parents but it is the relatives of petitioner no.2 i.e. respondent nos.4 to 8, from whom they are getting threats. In this regard representation dated 13.09.2021 (Annexure P-3) has also been given to respondent no.2 - the Senior Superintendent of Police, Patiala. However, no action has been taken on the same. Learned counsel for the petitioners would further submit that at this stage he limits his prayer in the present petition and would be satisfied if a direction is issued to respondent no.2 – the Senior Superintendent of Police, Patiala – to decide representation dated 13.09.2021 (Annexure P-3) moved by the petitioners.

Notice of motion.

On the asking of the Court, Mr. Hittan Nehra, Addl. AG Punjab, who has joined the session through video conferencing, accepts notice on behalf of respondent nos.1 to 3. Since the matter is not being decided on merits, the service on other respondents is dispensed with.

In view of the limited prayer made by learned counsel for the petitioners and without commenting on merits of the case, the present petition is disposed off with a direction to respondent no.2 – the Senior Superintendent of Police, Patiala – to decide representation dated 13.09.2021 (Annexure P-3) moved by the petitioners, in accordance with law, within a period of one month from the date of receipt of certified copy of this order.

**(ALKA SARIN)
JUDGE**

16th September, 2021
jk

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO