

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Sr.No.108

CRWP No.1735 of 2022

Date of Decision: 25th February, 2022.

Dheeraj Kumar & Another

...Petitioners

Versus

State of Haryana & Others

...Respondents

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present: Mr. Chander Shekhar Singhal, Advocate,
for the petitioners.

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MEENAKSHI I. MEHTA, J. (ORAL)

By way of the instant petition, both the petitioners seek the indulgence of this Court for the issuance of a writ in the nature of mandamus directing respondents No.2 to 4 to protect their lives and liberty as they apprehended threat to the same at the hands of respondents No.5 to 9 because they (petitioners) are living in relationship. It has also been mentioned in this petition that a representation (Annexure P-4) has already been moved to respondent No.2 in this regard.

Mr. Apoorv Garg, learned Deputy Advocate General, Haryana, has appeared on behalf of respondents No.1 to 4 in this case in pursuance of the copies of the present petition having been sent to the respondent-State in advance.

Learned counsel for the petitioners restricts his prayer to the issuance of a direction to respondent No.2 to take appropriate action on the

said representation of petitioner No.2, i.e. Annexure P-4.

Learned State counsel has no objection for the same.

It is worth-while to mention here that it has specifically been averred in Paras No.4 and 5 of the petition that respondents No.7 to 9 got petitioner No.2 married to respondent No.5 against her wishes and therefore, she left her matrimonial home and decided to live with petitioner No.1 in relationship.

Be that as it may, keeping in view the intent of the fundamental right as enshrined in Article 21 of the Constitution of India which ensures the protection of life and liberty to the citizens as well as the above-discussed limited prayer as made by learned counsel for the petitioners and without commenting or expressing any opinion on the legality and validity of the relationship between the petitioners, respondent No.2-Superintendent of Police, Yamuna Nagar, is hereby directed to look into the afore-said representation (Annexure P-4) of petitioner No.2 only to the extent so far it pertains to the threat perception of the petitioners qua their lives at the instance of respondents No.5 to 9 and if it is found that the petitioners genuinely deserve the protection of their lives, then to take appropriate action in accordance with law.

It is further clarified that this order shall not be construed to be a shield to the petitioners against any action/proceedings already initiated or intended/contemplated to be initiated against them by the competent authority/person on account of their said relationship and permissible under any relevant provisions of law.

This petition stands disposed of accordingly.

(MEENAKSHI I. MEHTA)
JUDGE

25.02.2022.
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Whether speaking/reasoned?	Yes
Whether Reportable?	No