

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

**Criminal Writ Petition No. 2459 of 2022
Date of Decision: 21.03.2022**

Sarabjit Kaur and another

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. S.K. Choudhary, Advocate for the petitioners.

Ms. Bhavna Gupta, Deputy Advocate General, Punjab

(Through Video Conferencing)

SURESHWAR THAKUR, J. (ORAL)

1. The petitioners, who are in a live-in relationship, by filing the present petition under Article 226 of the Constitution of India, are seeking issuance of a writ in the nature of a mandamus, hence directing respondents No. 2 to 4 to give protection to the life, and liberty, of the petitioners, and against any interference in the peaceful life of the petitioners being made at the behest of respondent Nos. 5 to 10.

2. The learned State Counsel, does not have any objection, to an order being made by this Court to the respondents concerned, to look into and decide through a speaking order, representation Annexure P-5.

3. Consequently, this Court directs the respondents concerned, to within three weeks hereafter, hence decide Annexure P-5, through a speaking order.

4. However, before the authorities concerned, mete compliance with the afore made order, they shall ensure, that the live in relationship, if established, inter se, the co-petitioners, was a sequel to both acquiring the

relevant age of majority. Moreover, the afore order is subject to the condition that, upon the investigating officer, discovering credible evidence, with respect to the age of the co-petitioner No. 1 – Sarabjit Kaur, and, in case from the birth certificate concerned, it is clear that she is below 18 years, thereupon, upon, a complaint being filed by the father of the afore, it is open for the investigating officer concerned, to draw an appropriate action, against the accused, in accordance with law. Nonetheless, he may not arrest him without issuing seven days notice upon him.

- 5. The petition is disposed of, accordingly.
- 6. A copy of this order be given dasti on payment of usual charges.

March 21, 2022
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(SURESHWAR THAKUR)
JUDGE

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>