

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

CRWP-5235-2022

Date of Decision: 31.05.2022

Renu and another

... Petitioners

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Ramesh Kumar Dhiman, Advocate,
for the petitioners.

HARNARESH SINGH GILL, J.(Oral)

This petition has been filed under Article 226 of the Constitution for issuance of a writ in the nature of mandamus directing respondents No.1 to 3 to protect the life and liberty of the petitioners at the hands of respondents No.4 to 6.

Learned counsel for the petitioners submits that petitioner No.1 is major, but petitioner No.2, though major, is not of marriageable age. They are living together in a live-in-relationship. They would solemnize marriage, after attaining the marriageable age by petitioner No.2. He further submits that the parents of the petitioners were informed, but they are issuing threats to the petitioners regarding their live-in-relationship. The petitioners have submitted a representation dated 25.05.2022 (Annexure P-3) to respondent No.2-Superintendent of Police, Palwal, for redressal of their grievance.

Learned counsel for the petitioners further submits that the petitioners are living in a constant danger as they have every apprehension that respondents 4 to 6 would catch them and carry out their threats and might go to the extent of even committing their murder.

The petitioners are, therefore, running from pillar to post for protection of

their life and liberty.

In support of his contentions, learned counsel for the petitioners relies upon the judgments passed by the Hon'ble Supreme Court in '*Nandakumar and another Vs. State of Kerala and others*' **2018(2) RCR (Civil) 899**, wherein it was held that even if the boy was not competent to enter into wedlock, they have right to live together even outside wedlock. It would not be out of place to mention that 'live-in-relationship' is now recognized by the legislature itself.

Notice of motion to respondents No.1 to 3-State only, at this stage.

On the asking of this Court, Mr. Surender Singh, AAG, Haryana, accepts notice on behalf of respondents No.1 to 3-State.

I have heard the learned counsel for the parties.

Article 21 of the Constitution stipulates protection of life and liberty to every citizen and that no person shall be deprived of his life and personal liberty except according to procedure established by law.

It is the bounden duty of the State as per the Constitutional obligations cast upon it to protect the life and liberty of every citizen. Mere fact that petitioner No.2 is not of marriageable age, would not deprive the petitioners of their fundamental rights as envisaged in the Constitution, being citizens of India.

In view of the above discussion, the present petition is disposed of with a direction to respondent No.2-Superintendent of Police, Palwal, to decide the representation dated 25.05.2022 (Annexure P-3), moved by the petitioners, in accordance with law, and grant protection to them, if any threat to their life and liberty is perceived.

31.05.2022
parveen kumar

(HARNARESH SINGH GILL)
JUDGE

PARVEEN KUMAR
2022.05.31 04:46
I attest to the accuracy and
authenticity of this order/judgment