

ANJALI DEVI AND ANOTHER

...Petitioners

Versus

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present : Mr. Sandeep Saini, Advocate
for Mr. Deepak Kumar Bartia, Advocate
for the petitioners.

HARSH BUNGER, J. (ORAL)

1. By way of this petition, the petitioners seek protection of their lives and personal liberties in view of the fact that they have not solemnized their marriage so far and are living in the live-in relationship and are under eminent threats at the hands of respondents No.4 to 6.
2. The date of birth of petitioner No.1 is 01.12.1999, whereas, the date of birth of petitioner No.2 is 10.04.2002.
3. In the context of threat perception at the hands of private respondents No.4 to 6, petitioners have allegedly moved representation dated 29.09.2022 (Annexure P-3) to the Superintendent of Police, Kaithal (respondent No.2), wherein, the apprehension to their lives has been expressed, however, it is stated that no action has been taken.
4. Notice of motion at this stage only to the official respondents is being issued.
5. Advance copy of the paper book has already been supplied to learned State counsel by the learned counsel for the petitioners. On asking of the

Court, Mr. Amit Aggarwal, Deputy Advocate General, Haryana, who is present in court, accepts notice on behalf of State-respondents No.1 to 3.

6. Given the nature of the order being passed, there is no necessity to seek any response by the official respondents or even to serve the private respondents No.4 to 6.

7. Having heard learned counsel for the petitioners, as also the learned State counsel, I am of the considered view that every citizen is entitled to protection / enforcement of fundamental rights as envisaged under Constitution of India. It is the bounden duty of the State to protect the life & liberty of every citizen as enshrined under Article 21 of the Constitution of India. Right to human life is to be treated on much higher pedestal, regardless of a citizen being minor or a major.

8. The petitioners state that they belong to different communities and they have developed love affair and they want to get married upon attaining the marital age by petitioner No.2. It is stated that they are in live-in relationship. It is further stated that the parents of petitioner No. 1 want to get her married against her wishes and the respondents No. 4 to 6 do not approve of her relationship with petitioner No. 2. Petitioners are living in constant danger as they have every apprehension that private respondents will catch them and carry out their threats and may go to the extent of even eliminating them. The petitioners are, therefore, running here & there and unable to find any safe place to live in the absence of protection of their life and liberty. Hence the present writ petition seeking appropriate directions to the official respondents to provide protection qua their life and liberty.

9. Since the petitioners have not contracted any marriage and seek only protection *qua* their lives and personal liberties, therefore, it would be appropriate to direct respondent No.2-Superintendent of Police, Kaithal to verify the contents of the petition and/or representation, particularly the threat perception of the petitioners and thereafter provide necessary protection *qua* their life and liberty, if deemed fit. Respondent No.2 would pass necessary order without being influenced by any statement of fact recorded hereinabove.

10. It is clarified that this order shall neither be treated as a stamp of this Court *qua* the status of the parties on the basis of live-in relationship nor any reflection on the merits of the contentions raised by them in the present petition

11. The writ petition is, accordingly, disposed of.

October 03, 2022

gurpreet

(HARSH BUNGER)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No