

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

CRWP-10473-2022

Date of Decision: November 14, 2022

Neha Kumari and another

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Amit Gupta, Advocate for the petitioners.

SANJAY VASHISTH, J.

In reference to the observation made by co-ordinate Bench of this Court, in its order dated 07.11.2022, learned counsel for the petitioners submits that in fact present petition was also filed on 02.11.2022 and said fact is clear from the date reflecting in the affidavit supporting the petition, which is attested by Notary Public, Chandigarh on 02.11.2022.

By way of filing this petition, the petitioners seek necessary protection of their lives and personal liberty in view of the fact that they are in a live-in relationship and are under eminent threats at the hands of respondents No. 4 to 7. Petitioner No.1 – Neha Kumari is aged about 20 years, whereas, petitioner No. 2 – Rakesh is aged about 31 years.

In the context of threat perception at the hands of private respondents No. 4 to 7, petitioners have allegedly moved representation dated 01.11.2022, (Annexure P-3) to Superintendent of Police, Yamunanagar (respondent No. 2), wherein, all the apprehensions to their lives have been expressed.

It is averred in the petition that Petitioner No. 2-Rakesh is married to one Pinky and out of said wedlock, one daughter is also born. But now, due to temperamental differences between petitioner No. 2 and his wife, both of them could not pull on together and are residing separately for the last about 07 months. Now, petitioners in the present case have started liking each other and have started living in a ***Live-in Relationship***.

While making submission, learned counsel for the petitioners relies upon the judgment dated 18.07.2022 passed by co-ordinate Bench of this Court in **CRWP No. 4644 of 2021 (Ashok Kumar and anr. v. State of Punjab and others)**.

In the said case also, direction, to look into the representation, already submitted by the parties, was passed after considering the basic feature of the Constitution of India, as per which every citizen has a right to live his/her life with a person of his/her choice emanating out of Article 21.

Notice of motion.

On asking of the Court, Mr. Vikas Bhardwaj, AAG, Haryana, who is present in the Court, accepts notice on behalf of respondent Nos. 1 to 3 (State).

Since petitioners have not contracted any marriage and seek only protection *qua* their lives and personal liberty, it would be appropriate to direct respondent No. 2 to have a fair look on the grievance of the petitioners in order to ascertain veracity of allegations made by them.

Respondent No. 2 would be at liberty to devise his/her own mechanism to ascertain the truth. He/she would also be at liberty to join the

petitioners or any other person acquainted with facts in issue. If innocence of the petitioners is established, then respondent No. 2 shall proceed to take appropriate action in order to protect their lives and personal liberty from being invaded by private respondents No. 4 to 7.

This order is passed at this stage without meaning anything on the status of the petitioners on the basis of live-in relationship. Respondent No. 2 would pass necessary order without being influenced by any statement of fact recorded here-in-above.

Petition stands disposed of accordingly.

(SANJAY VASHISTH)
JUDGE

November 14, 2022

Riya

Whether Speaking/Reasoned: **YES/NO**

Whether Reportable: **YES/NO**