

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

**CRWP-11006-2022**

**Date of Decision: November 21, 2022**

**Shama and another**

**...Petitioners**

**Versus**

**State of Punjab and others**

**...Respondents**

**CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH**

Present: Mr. Munish Chaudhary, Advocate for the petitioners.

**SANJAY VASHISTH, J.**

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 8. Petitioner No.1 – Shama, aged about 30 years, whereas, petitioner No. 2 – Mukul, aged about 27 years.

In the context of threat perception at the hands of private respondents No. 4 to 8, petitioners have allegedly moved representation dated 11.11.2022, (Annexure P-3) to Senior Superintendent of Police, Muktsar Sahib (respondent No. 2), wherein, all the apprehensions to their lives have been expressed.

Learned counsel for the petitioners submits that Petitioner No. 1-Shama is earlier married to Harbhajan Singh Bains (respondent No. 4) and out of said wedlock, no child is born. Thereafter, respondent No. 4 had left the country and started living in Portugal and never came back to take petitioner No.1 along to Portugal. During this period, petitioner No.1 came

in the contact of petitioner No. 2 and both of them have started liking each other and 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. J.S. Arora, DAG, Punjab, 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 8.

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 21, 2022**

Riya

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

Whether Reportable: **YES/NO**