

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

CRWP-11754-2022

Date of Decision: December 15, 2022

Komal and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Jagmeet Singh Moudgil, 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 and 5. Petitioner No.1 – Komal, is aged about 23 years, whereas, petitioner No. 2 – Jagseer Singh, is aged about 24 years.

In the context of threat perception at the hands of private respondents No. 4 and 5, petitioners have allegedly moved representation dated 12.12.2022, (Annexure P-3) to Senior Superintendent of Police, Bathinda (respondent No. 2), wherein, all the apprehensions to their lives have been expressed.

Learned counsel for the petitioners submits that Petitioner No.1-Komal is earlier married to Avinash (respondent No. 4) and out of said wedlock, no child is born. After some time of their marriage, respondent No. 4 started giving merciless beatings to petitioner No. 1 and tried to eliminate her. Due to this reason, petitioner No. 1 left her house with her

own free will and wish. Thereafter, 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

December 15, 2022

Riya

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

Whether Reportable: **YES/NO**