

121

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

**CRWP-11831-2022 (O&M)
Date of Decision: 16.12.2022**

LASHMI AND ANR

....Petitioners

Versus

STATE OF PUNJAB AND ORS

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present : Mr. Virender Singh, Advocate
for the petitioners.

HARSH BUNGER, J. (Oral)

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 8.

The date of birth of petitioner No.1 is 12.01.2003, whereas, the date of birth of petitioner No.2 is 07.08.2002.

In the context of threat perception at the hands of private respondents No.4 to 8, petitioner No. 1 has allegedly moved representation dated 10.12.2022 (Annexure P-3) to the Senior Superintendent of Police, District Gurdaspur, Punjab wherein, the apprehension to their lives has been expressed, however, it is stated that no action has been taken.

Notice of motion at this stage only to the official respondents is being issued.

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. Vinay Kumar Gupta, AAG, Punjab, who is present in court, accepts notice on behalf of State-respondents No.1 to 3.

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 8.

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 boundened 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.

The petitioners state that they both belong to SC family and they are living in live-in relationship. 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 and 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.

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- Senior Superintendent of Police, District Gurdaspur, Punjab 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- Senior Superintendent of Police, District Gurdaspur,

Punjab would pass necessary order without being influenced by any statement of fact recorded hereinabove.

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

The writ petition is, accordingly, disposed of.

16.12.2022

Amandeep

**(HARSH BUNGER)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No