

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

CRWP-11870-2022

Date of Decision: 16th December, 2022

Rashid Ali and another

... Petitioners

Versus

State of Haryana and others

... Respondents

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present : Mr. Bikram Chaudhary, Advocate for the petitioners.
Ms. Geeta Sharma, DAG, Haryana.

AVNEESH JHINGAN , J.(Oral)

This writ petition in the nature of Habeas Corpus is filed for release of respondent No.2 from the illegal detention of respondent No.4- Lovely Kumar.

2. From the pleadings, it is forthcoming that daughter of the petitioners is in live-in-relationship with respondent No.4. They had approached this Court by way of CRWP No. 6362 of 2022 seeking protection of life and liberty from the hands of private respondents (including petitioners in present petition). The petition is disposed of by passing the following order:-

“The petitioners have approached this Court for issuance of necessary directions to respondents No. 2 & 3 for protecting their life and liberty which according to them is at stake because they are in a live-in relationship. Both the petitioners claims themselves to be major. The learned counsel for the petitioners submits that the private respondents are extending threats to the petitioners that they cannot live together.

The learned counsel for the petitioners has also submitted that a marriage is not a must for providing security to a couple in a ‘live-in relationship’ because protection qua life and liberty is sacrosanct and stands at the highest pedestal. He has also placed reliance upon orders passed by the co-ordinate Bench of this Court in

'Sarabjeet Kaur and another versus State of Punjab and others' in CRWP-102-2022 decided on 07.01.2022 and 'Goutam Kumar and another versus State of Punjab and others' in CRWP-8088-2021 decided on 26.08.2021.

Notice of motion to respondents No. 1 to 3.

Mr. Vikrant Pamboo, DAG, Haryana accepts notice on behalf of the official respondents. Since no order prejudicial to the interest of the parties is being passed, therefore, there is no necessity of inviting any response.

At this stage, without expressing any opinion on the merits of the case, as well as on the age and nature of the relationship between the petitioner no.1 and petitioner no.2, I deem it appropriate to direct respondent No. 2 to look into the matter and pass an appropriate order in the representation allegedly filed by the petitioners before him on 29.06.2022 (Annexure P-3). It would be appreciated if necessary orders are passed within one month from the date of receipt of copy of this order.

However, if the petitioners is found to have been involved in any other case then this order shall not preclude the competent authority from taking lawful action against the petitioner.

Disposed of."

3. It is not disputed that daughter of the petitioners is major. It is not a case of illegal detention. From the pleadings, it is forthcoming that she is living in live-in-relationship with respondent No.4 who is allegedly married earlier.

4. No interference is called for, the petition is dismissed.

5. Needless to say that petitioners would be at liberty to avail remedies in accordance with law.

(AVNEESH JHINGAN)
JUDGE

16th December, 2022

Parveen Sharma

Whether reasoned/speaking
Whether reportable

Yes/No
Yes/No