

214 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP No.380-2023

Date of Decision: 18.07.2023

Lalit Kishori and another

...Petitioners

Versus

State of UT Chandigarh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Ravi Rana, Advocate
for the petitioners.

Ms. Vasundhara Dalal, Addl. PP, UT Chandigarh
for respondents No.1 to 3.

ANOOP CHITKARA, J.

Fearing for their lives and liberty at the hands of the private respondents, the petitioners who claim to be in a live-in relationship, have come up before this Court seeking protection through the State, by invoking their fundamental rights of life guaranteed under Article 21 of the Constitution of India, seeking direction to the State to protect them.

2. Petitioner No.1 was earlier married with respondent No.4 and she has filed a divorce petition which is pending. As per office report, notice issued to respondent No.4 has been received back with the report that he has been died. Therefore, marriage of petitioner No.1 is not in subsistence.

3. If the allegations of apprehension of threat to their lives turn out to be true, it might lead to an irreversible loss. Thus, in the facts and circumstances peculiar to this case, it shall be appropriate that the concerned Superintendent of Police, SHO, or any officer to whom such powers have been delegated or have been authorized in this regard, provide appropriate protection to the petitioners for one week from today. However, if the petitioners no longer require the protection, then at their request it may be discontinued even before the expiry of one week. After that, the concerned officers shall extend the protection on day-to-day analysis of the ground realities or upon the oral or written request of the petitioners.

4. This protection is subject to the stringent condition that from the time such protection is given, the petitioners shall not go outside **four walls of his house**, except for medical necessities and for bereavements in the families of the close relatives or

close friends. However, petitioner(s) shall be at liberty to shift the residence(s) and if the new place falls within the district, then the protection shall be extended to such place. **It is clarified that in case, the petitioners go outside the boundaries of their house, PSO shall return back to the police station.** This restriction saves the petitioners from apprehended risk and ensures that the protection is not flaunted.

5. It is clarified that there is no adjudication on merits and that this order is not a blanket bail in any FIR. It is further clarified that this order shall not come in the way if the interrogation of the petitioners is required in any cognizable case. It shall also be open for the petitioner(s) to approach this Court again in case of any fresh threat perception.

6. **This order shall eclipse after fifteen days from today.**

7. *There would be no need for a certified copy of this order, and any Advocate for the Petitioners and State can download this order and other relevant particulars from the official web page of this court and attest it to be a true copy. The concerned officer can also verify its authenticity and may download and use the downloaded copy for immediate use.*

Petition is allowed to the extent mentioned above. All pending applications, if any, stand disposed.

(ANOOP CHITKARA)
JUDGE

18.07.2023
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Whether speaking/reasoned: Yes
Whether reportable: **No.**