

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

116

CRWP-497-2023

Date of decision : 19.01.2023

Archana Devi and another

Petitioners

V/S

State of Haryana and others

Respondents

CORAM : HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: Mr. Ashish Grewal, Advocate for the petitioners.

ASHOK KUMAR VERMA, J. (ORAL)

Through this petition under Articles 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973, prayer has been made for issuance of directions to respondents No.2 and 3 to protect the life and liberty of the petitioners from danger at the hands of respondents No.4 to 7 as they are living in a live-in-relationship against the wishes of their parents.

Learned counsel for the petitioners submits that both the petitioners are major and have decided to marry with each other on attaining of marriageable age by respondent No.2. However, parents and other relatives of petitioner No.1 are against their marriage. Now, they are living in a live-in-relationship against the wishes of respondents No.4 to 8 and have sought protection to their life and liberty. They apprehend danger at the hands of respondents No.4 to 8. Therefore, they have submitted a representation dated 10.01.2023 (Annexure P-3) to respondent No.2-Superintendent of Police, Yamuna Nagar.

Notice of motion restricted to respondents No.1 to 3 only at this stage.

On the asking of the Court, Mr. Munish Sharma, Asstt. A.G., Haryana, who is present in the Court, accepts notice on behalf of the respondent-State and seeks time to complete his instructions.

I have heard the learned counsel for the parties.

Article 21 of the Constitution stipulates protection of life and liberty to every citizen and that no person shall be deprived of his life and personal liberty except according to procedure established by law. It is the bounden duty of the State as per the Constitutional obligations cast upon it to protect the life and liberty of every citizen.

In view of the above discussion, present petition is disposed of with a direction to respondent No.2-Superintendent of Police, Yamuna Nagar, to decide the representation dated 10.01.2023 (Annexure P-3), moved by the petitioners in accordance with law and grant protection to them, if any threat to their life and liberty is perceived.

It is, however, clarified that in case there is any criminal case registered against the petitioners, this order shall not be construed as an impediment for the law enforcing agency to proceed against the petitioners in accordance with law.

19.01.2023

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(ASHOK KUMAR VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No