

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

CRWP-1279-2023 (O&M)

Date of Decision: February 10, 2023

Rajani and another

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Ms. Riffi Birla, 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. 7 and 8.

Learned counsel for the petitioners submits that petitioners are in a live-in relationship against the wishes of respondents No. 7 and 8 and have sought protection to their lives and liberty. It is submitted that petitioner No. 1-Rajani, aged about 18 years and petitioner No. 2 – Sanju, aged about 19 years, have not performed marriage because petitioner No. 2 has not attained marriageable age, but they apprehend danger at the hands of private respondents No. 7 and 8, who will eliminate them.

In the context of threat perception at the hands of private respondents No. 4 to 8 petitioners have allegedly moved two representations, sent through courier on 02.02.2023 to respondents No. 3 and 5 (Superintendent of Police, Sirsa and Senior Superintendent of Police, Fazilka, respectively) wherein, all the apprehension to their lives have been expressed.

Upon query, learned counsel for the petitioners submits that both the petitioners are stated to be permanent residents of Sirsa, so one representation seeking protection to the lives and liberty of the petitioners, has been sent through courier on 02.02.2023 to Superintendent of Police, Sirsa (respondent No. 3). Another representation seeking protection to the lives and liberty of the petitioners was also sent through a courier on the same date i.e. 02.02.2023 to Senior Superintendent of Police, Fazilka (respondent No. 5) because both the petitioners are stated to be in a live-in relationship and presently, both are residing with grand-mother of petitioner No. 2 at Fazilka.

However, after seeking necessary instruction in that regard, counsel for the petitioners submits that direction for providing protection to the lives and liberty of the petitioners be only issued to respondent No. 3- Superintendent of Police, Sirsa because finally petitioners have to reside together in District Sirsa.

Notice of motion.

On asking of the Court, Mr. Vikas Bhardwaj, AAG, Haryana, 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, and for the same already representation sent through courier on 02.02.2023 (Annexure P-5), is pending, it would be appropriate to direct respondent No. 3 to have a fair look to the said representation, on the grievance of the petitioners in order to ascertain veracity of allegations made by them.

Respondent No. 3 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, respondent No. 3 shall proceed to take appropriate action in order to protect their lives and personal liberty from being invaded by private respondents No.7 and 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. 3 would pass necessary order without being influenced by any statement of fact recorded here-in-above.

Petition stands disposed of accordingly.

(SANJAY VASHISTH)
JUDGE

February 10, 2023

Riya

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

Whether Reportable: **YES/NO**