

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

CRWP-1436-2023

Date of decision : 15.02.2023

Saista and another

.....Petitioners

VERSUS

State of Haryana and others

....Respondents

CORAM:- HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Raj Kumar Malik, Advocate, for
Mr. Lajpat Rai Sharma, Advocate for the petitioners.

SANJAY VASHISTH, J. (ORAL)

Prayer in the instant petition filed under Article 226 of the Constitution of India, is for issuance of directions to respondents No.2 to 5, to provide protection of lives and liberty of the petitioners, who have not solemnized their marriage so far and are living in a live-in relationship and are under eminent threat at the hands of respondents No.6 to 8.

Learned counsel for the petitioners submits that though both the petitioners belong to different religions, yet having respect to the respective religions, both of them have decided to live in live-in relationship together. It is submitted that petitioner No. 1-Saista, is aged 24 years and petitioner No. 2 – Mohit, is aged 18 years and they apprehend danger at the hands of private respondents No.6 to 8, who will eliminate them, if they intend to solemnize the marriage at relevant time.

In the context of threat perception at the hands of private respondents No.6 to 8, petitioners have allegedly moved representation dated 09.02.2023 (Annexure P-3) to the Superintendent of Police, Panipat, District Panipat (respondent No.2), wherein, all the apprehensions qua their lives and liberty have been expressed.

Notice of motion to respondents No.1 to 5.

On advance notice, Mr. Vikas Bhardwaj, AAG, Haryana, Punjab, puts in appearance on behalf of respondents No.1 to 5.

Since petitioners have not contracted any marriage and seek only protection qua their lives and personal liberty, and for the same already representation dated 09.02.2023 (Annexure P-3) is pending, it would be appropriate to direct the Superintendent of Police, Panipat, District Panipat (respondent No.2) 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.

Superintendent of Police, Panipat, District Panipat (respondent No.2) 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 the innocence of the petitioners are established, then respondent No.2 shall proceed to take appropriate action in order to protect lives and personal liberty of the petitioners from being invaded by private respondents No.6 to 8.

The aforesaid order is being passed at this stage without meaning anything on the status of the parties on the basis of live-in relationship and age of petitioners. Respondent No.2 would consider and pass necessary order without being influenced by any statement of fact recorded hereinabove.

(SANJAY VASHISTH)
JUDGE

15.02.2023

Nisha-I

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No