

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

CRWP-1441-2023

Date of decision : 15.02.2023

Gitika and another

.....Petitioners

VERSUS

State of Punjab and others

....Respondents

CORAM:- HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr.R.K. Choudhary, 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.1 to 3, 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.4 to 8.

Learned counsel for the petitioners submits that both the petitioners have decided to live in live-in relationship together. It is submitted that petitioner No. 1-Gitika, is aged 18 years and petitioner No. 2 – Rohan Kumar, is aged 19 years and they apprehend danger at the hands of private respondents No.4 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.4 to 8, petitioners have allegedly moved representation dated 09.02.2023 (Annexure P-3) to the Senior Superintendent of Police, District

Nawanshahr, (respondent No.2), wherein, all the apprehensions qua their lives and liberty have been expressed.

Notice of motion to respondents No.1 to 5 only as this Court does not find any necessity to issue notice to respondents No. 6 to 8 at this stage.

On advance notice, Mr. G.S. Dhillon, A.A.G. Punjab, puts in appearance on behalf of respondents No.1 to 3. Ms. Sheena Khanna, Advocate has put in appearance on behalf of the respondents No. 4 and 5 and filed her Power of Attorney.

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 Senior Superintendent of Police, District Nawanshahr, (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.

Senior Superintendent of Police, District Nawanshahr, (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.4 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.

It is made clear that in case, parents of petitioner No.1 wishes to meet their daughter, they are free to express their desire to the Senior Superintendent of Police, District Nawanshahr, (respondent No.2), who would consider their submissions and examine the situation and if he/she thinks it appropriate, permission may be granted to the parents of petitioner No.1 to meet their daughter.

(SANJAY VASHISTH)
JUDGE

15.02.2023

Nisha-I

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>