

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRWP-2994-2023 (O & M)

Date of decision: 28.03.2023

Neha (minor) through her next friend Sagar Kumar

..... Petitioner

V/s

State of Haryana and ors.

.....Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Kamal Chaudhary, Advocate, for the petitioner.

JASJIT SINGH BEDI, J. (Oral)

The petitioner-Neha (minor) through her next friend Sagar Kumar has approached this Court for issuance of necessary directions to the official respondents for protecting their lives and liberties which according to them are at stake because they are in a live-in-relationship. The petitioner-Neha, aged 17 years and 06 months, is a minor. According to the copy of the Aadhar Card (Annexure P-1), the exact date of birth of Sagar Kumar (through whom the present petition has been filed) is 01.01.2000. A copy of his Aadhar Card is annexed as Annexure P-1.

The learned counsel for the petitioner submits that a marriage is not a must for providing security to a couple in a 'live-in-relationship' because protection qua life and liberty is sacrosanct and stands at the highest pedestal. He has also placed reliance upon orders passed by the co-ordinate Bench of this Court in '*Sarabjeet Kaur and another versus State of Punjab and others*' in CRWP-102-2022 decided on

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07.01.2022 and '*Goutam Kumar and another versus State of Punjab and others*' in CRWP-8088-2021 decided on 26.08.2021.

Notice of motion to respondents No. 1 to 3.

Mr. Neeraj Poswal, AAG, Haryana, accepts notice on behalf of the official respondents. Since no order prejudicial to the interest of the parties is being passed, therefore, there is no necessity of inviting any response.

At this stage, without expressing any opinion on the merits of the case, as well as on the age and nature of the relationship between the petitioner and her next friend-Sagar Kumar, (through whom the present petition has been filed), I deem it appropriate to direct respondent No. 2-Superintendent of Police, Faridabad, District Faridabad, to look into the matter and pass an appropriate order in the representation allegedly filed by Sagar Kumar, the next friend of the petitioner-Neha (through whom the present petition has been filed, before him on 21.03.2023 (Annexure P-2). It would be appreciated if necessary orders are passed within one month from the date of receipt of a copy of this order.

However, if the petitioner and her next friend-Sagar Kumar are found to have been involved in any other case then this order shall not preclude the competent authority from taking lawful action against the petitioner and Sagar Kumar.

Disposed of.

(JASJIT SINGH BEDI)
JUDGE

March 28, 2023
sukhpreet