

MONIKA AND ANOTHER

... PETITIONERS

V/S

STATE OF PUNJAB AND OTHERS

... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Sohrab Dhanda, Advocate for the petitioners.

Ms. Ruchika Sabherwal, DAG Punjab.

* * *

VIVEK PURI, J. (ORAL)

Heard.

Learned counsel for the petitioners has relied upon a judgment of the Hon'ble Supreme Court of India in the case of **Nandakumar and another Versus State of Kerala and others**, AIR 2018 SC 2254 and judgment of this Court in **CWP No. 31834 of 2019 titled as Megha and another Versus State of Haryana and others**, decided on 04.11.2019.

It has been stated that both the petitioners have attained the age of majority, the petitioners are in live-in-relationship but it has been pointed out that petitioner No.2 was married at the earlier instance. They are apprehending threat and danger to their lives and liberty at the instance of respondent Nos. 4 and 5, who are stated to be relatives of petitioner No.1.

Without dilating further, suffice it to say that the Court is primarily concerned with the petitioners' right to protect their lives and liberty against any perceived threat at the instance of the third party as such

right has been guaranteed to them as per Article 21 of the Constitution of India.

It has been pointed out that a representation dated 29.03.2023 (Annexure P-3) has already been submitted to respondent No.2.

Notice of motion to official respondents only.

Ms. Ruchika Sabherwal, DAG Punjab accepts notice on behalf of respondent-State. Copy of the paper-book be supplied to her during the course of the day.

Without making any further observations on the merits or legality and validity of the relationship, the petition is disposed of with a direction to respondent No.2 to look into the grievance of the petitioners as projected through representation dated 29.03.2023 (Annexure P-3) in accordance with law and furthermore, take remedial action if the apprehension of danger is real and genuine one.

This order is not to be construed as any opinion with regard to the legality and validity of the relationship, or the age of the petitioners or with regard to any civil or criminal proceedings.

13.04.2023

Janki

(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No
