

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

111

CRWP-3531-2023
Decided on :17.04.2023

Ashanka and another

. . . Petitioner(s)

Versus

State of Haryana and others

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. S. K. Bishnoi, Advocate for the petitioners.

SANJAY VASHISTH, J. (Oral)

1. 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. 4 to 7.

2. Learned counsel for the petitioners submits that petitioners are in a live-in relationship against the wishes of respondents No. 4 to 7 and have sought protection to their lives and liberty. It is submitted that petitioner No. 1-Ashanka, is aged about 21, years and petitioner No. 2 – Sumit, is aged about 19 years and are thus, majors, but petitioner No. 2 is not of marriageable age, being of 19 years and have not performed marriage, but they are in a live-in relationship and they apprehend danger at the hands of private respondents No. 4 to 7, who will eliminate them.

3. In the context of threat perception at the hands of private respondents No. 4 to 7 petitioners have allegedly moved a representation dated 11.04.2023, (Annexure P-5), to Superintendent of Police, Fatehabad, Haryana, (respondent No. 2), wherein, all the apprehension to their lives have been expressed.

4. Notice of motion.

5. On asking of the Court, Mr. Vikas Bhardwaj, AAG, Haryana, accepts notice on behalf of respondent Nos. 1 to 3 (State).

6. At this stage, Mr. S. S. Sahu, Advocate, appears and files his vakalatnama on behalf of respondent No. 5 and same is taken on record. Registry is directed to tag the same at appropriate place. He submits that if any direction is passed for granting protection to the petitioners through the Superintendent of Police, Fatehabad, parents of petitioner No. 1 be also afforded an opportunity to appear before the authorities and to make submission in regard to the well being of their daughter by submitting all the facts.

7. Since petitioners have not contracted any marriage and seek only protection *qua* their lives and personal liberty, and for the same already representation dated 11.04.2023 (Annexure P-5), is pending, it would be appropriate to direct 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.

8. 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 innocence of the petitioners is established, respondent No. 2 shall proceed to take appropriate action in order to protect their lives and personal liberty from being invaded by private respondents No. 4 to 7.

9. 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. 2 would pass necessary order without being influenced by any statement of fact recorded here-in-above.

10. However, it would be open for respondent No. 2-

Superintendent of Police, Fatehabad, Haryana, to give chance of hearing to the parents of petitioner No. 1 also, if granting of such opportunity may help in developing some harmony in the relations, as per his/her wisdom.

11. Petition stands **disposed of** accordingly.

(SANJAY VASHISTH)
JUDGE

17.04.2023

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Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No