

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

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**CRWP-3684-2023
Decided on : 19.04.2023**

Devika and another

. . . Petitioner(s)

Versus

State of Punjab and others

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Dheeraj K. Sharma, Advocate
for the petitioner(s).

SANJAY VASHISTH, J. (Oral)

1. By way of filing this petition, petitioners seek necessary protection of their lives and personal liberty in view of the fact that they have not solemnized their marriage so far and are living in a live-in relationship, as petitioner No.2 is not of marriageable age, and are under eminent threat at the hands of respondents No.4 to 9.

2. Learned counsel for the petitioners submits that petitioners are in a live-in relationship against the wishes of respondent No. 4 to 9, and have sought protection to their life and liberty. It is submitted that petitioner No. 1 – Devika, is aged about 20 years and petitioner No. 2 – Dheeraj Kumar, is aged about 20 years, and they apprehend danger at the hands of private respondents No.4 to 9, who will eliminate them if they intend to solemnize the marriage at relevant time.

3. In the context of threat perception at the hands of private respondents No.4 to 9, petitioners have allegedly moved representation dated 14.04.2023 (Annexure P-3), which was sent through courier dated 17.04.2023, to the Sr. Superintendent of Police, SBS Nagar (respondent No.2), wherein, all the apprehensions *qua* their lives and liberty has been

expressed.

4. Notice of motion.

5. On advance notice, Mr. Anmol Singh Sandhu, AAG, Punjab, puts in appearance on behalf of respondents No.1 to 3 (State).

6. At this stage, Ms. Rishu Bajaj, Advocate, puts in appearance on behalf of respondents No.4 to 9, and files her *Vakalatnama*, which is taken on record, subject to all just exceptions.

She points out that there are certain objections to the said relation of the petitioners, because petitioner No.1 – Devika is the niece (Bhanji) of respondent No.7 – Subhash Chander, whereas, petitioner No.2 – Dheeraj Kumar, is related as son of respondent No.7 – Subhash Chander. Thus, such a relation would not be acceptable.

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 14.04.2023 (Annexure P-3) 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 the innocence of the petitioners is 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 9.

9. 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

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pass necessary order without being influenced by any statement of fact recorded herein-above.

10. However, private respondents No.4 to 9 are at liberty to raise their objections *qua* the relations of the petitioners, which is already recorded in the forgoing para(s) of this order, by this Court. Said objection(s) would also be considered by respondent No.2 before deciding the issue of providing of protection to the petitioners.

11. Petition stands disposed of accordingly.

(SANJAY VASHISTH)
JUDGE

April 19, 2023

J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*