

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

CRWP- 4261 -2023 (O&M)

Date of Decision:May 05, 2023

Kusham and another

...Petitioners

Versus

Union Territory, Chandigarh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Sanjeev Kumar, Advocate
for the petitioners.

SANJAY VASHISTH, J.

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 8.

2. Learned counsel for the petitioners submits that petitioners are in a live-in relationship against the wishes of respondents No. 4 to 8 and have sought protection to their lives and liberty. It is submitted that petitioner No. 1-Kusham is aged about 18 years and petitioner No. 2 – Ajay is aged about 20 years and are thus, major, but petitioner No. 2 is not of marriageable age, being of 20 years. They have not performed marriage, but they are in a live-in relationship and apprehend danger at the hands of private respondents No. 4 to 8, who will eliminate them.

3. In the context of threat perception at the hands of private respondents No. 4 to 8, petitioners have allegedly moved a representation dated 28.04.2023, (Annexure P-4) to Senior Superintendent of Police, U. T. Chandigarh (respondent No. 2), wherein, all the apprehension to their lives have been expressed.

4. Notice of motion.

5. On advance notice, Mr. Shashank Bhandari, Addl. P.P., U.T., Chandigarh, appears and accepts notice on behalf of respondent Nos. 1 to 3 (State).

6. Since petitioners have not contracted any marriage and seek only protection *qua* their lives and personal liberty, and for the same already representation dated 28.04.2023, (Annexure P-4) 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.

7. 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 8.

8. 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.

9. Petition stands **disposed of** accordingly.

(SANJAY VASHISTH)
JUDGE

May 05, 2023

Riya

Whether Speaking/Reasoned: YES/NO

Whether Reportable: YES/NO