

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

130

CRWP-6215-2023

Date of Decision: 22.06.2023

Neha and another

....Petitioners.

Versus

State of Haryana and others

...Respondents.

CORAM: HON'BLE MRS. JUSTICE SUKHVINDER KAUR

.....

Present: Mr. Shubham Saini, Advocate
for the petitioners.

SUKHVINDER KAUR, J. (Oral)

The petitioners seek a writ in the nature of mandamus directing respondent Nos. 2 and 3 to protect their life and liberty at the hands of respondents No.4 and 5, with a further prayer to take appropriate legal action on representation dated 19.06.2023 (Annexure P-3).

It is stated that the petitioner No.1 is minor as the date of birth is 06.11.2005 and he is less than 18 years and petitioner No.2 is major as the date of birth of petitioner No.2 is 06.05.2000.

The petitioners have decided to live together in live-in-relationship and also decided to solemnize marriage as and when petitioner No.1 will attain the age of marriage i.e. 18 years however presently age of petitioner No.1 is less than 18 years.

The private respondent Nos. 4 and 5 are against the relationship of petitioners and harassing the petitioners and have threatened the petitioners to face the dire consequences however the parents of the petitioner No.2 do not have any objection of this relation and also for their marriage.

The learned counsel for the petitioners has also submitted 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 CRWP102-2022 decided on 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.

On asking of the Court, Mr. Rajiv Goel, DAG, Haryana, appears and accepts notice on behalf of the official respondents No.1 to 3. 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 No.1 and petitioner No.2, I deem it appropriate to direct respondent No. 2, to look into the matter and pass an appropriate order in the representation allegedly filed by the petitioners before him on

19.06.2023 (Annexure P3). It would be appreciated if necessary orders are passed within one month from the date of receipt of copy of this order. Till then, protect the life and liberty of the petitioners.

However, if the petitioners 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 petitioners.

Disposed of.

(SUKHVINDER KAUR)
JUDGE

22.06.2023

Komal

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