

135 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP No.8228-2023
Date of decision: 21.08.2023

Simran Kumari and another ...Petitioners

Versus

State of Punjab and others ...Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Ms. Sumanpreet Aulakh, Advocate for the petitioner(s).

Mr. Shiva Khurmi, AAG, Punjab.

Mr. Ritesh Tomer, Advocate for respondent No.4 and 5.

ANOOP CHITKARA

Fearing for their lives and liberty at the hands of the private respondents, the petitioners who claim to be in a live-in relationship, after crossing eighteen years of age, have come up before this Court by invoking their fundamental rights of life guaranteed under Article 21 of the Constitution of India, seeking direction to the State to protect them from the private respondents.

2. Notices served upon the official respondents through the State's counsel. Given the nature of the order that this Court proposes to pass, neither the response of official respondents nor the issuance of notices to the private respondents is required.

2(a) Matter was taken up for hearing and Mr. Ritesh Tomer, Advocate puts in appearance on behalf of the parents of girl-respondents No.4 and 5, who are also present in Court and submits that the parents wants to meet the girl. At their request, the parties alongwith their advocates were sent for meeting and case stands passed over.

2(b) Matter was taken up again, counsel for the parents respondents No.4 and 5 submits that they had interaction with their daughter for around one hour and they have no objection to their marriage, rather they want to give reception on the occasion of their marriage.

3. Given the submission of counsel for respondents No.4 and 5, keeping in view the threat to the life of the petitioners, this Court cannot deny protection simply because of private respondents' assurance. In case, if the allegations of apprehension of threat to

their lives turn out to be true, it might lead to an irreversible loss. Thus, in the facts and circumstances peculiar to this case, it shall be appropriate that the concerned Superintendent of Police, SHO, or any officer to whom such powers have been delegated or have been authorized in this regard, provide appropriate protection to the petitioners for one week from today. However, if the petitioners no longer require the protection, then at their request it may be discontinued even before the expiry of one week. After that, the concerned officers shall extend the protection on day-to-day analysis of the ground realities or upon the oral or written request of the petitioners.

4. This protection is subject to the stringent condition that from the time such protection is given, the petitioners shall not go outside the boundaries of the place of residence, except for medical necessities, to buy household necessities, and for bereavements in the families of the close relatives or close friends. However, petitioner(s) shall be at liberty to shift the residence(s) and if the new place falls within the district, then the protection shall be extended to such place. This restriction saves the petitioners from apprehended risk and ensures that the protection is not flaunted.

5. It is clarified that there is no adjudication on merits and that this order is not a blanket bail in any FIR. It is further clarified that this order shall not come in the way if the interrogation of the petitioners is required in any cognizable case. It shall also be open for the petitioner(s) to approach this Court again in case of any fresh threat perception.

6. **This order shall eclipse after fifteen days from today.**

7. *There would be no need for a certified copy of this order, and any Advocate for the Petitioner and State can download this order and other relevant particulars from the official web page of this court and attest it to be a true copy. The concerned officer can also verify its authenticity and may download and use the downloaded copy for immediate use.*

Petition is allowed to the extent mentioned above. All pending applications, if any, stand disposed.

(ANOOP CHITKARA)
JUDGE

21.08.2023
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Whether speaking/reasoned: Yes
Whether reportable: No.