

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

132

CRWP-8721-2023

Date of Decision: 04.09.2023

Karamjit Kaur and another

...Petitioners

Versus

State of Haryana and others

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present:- Mr. Rishab Chaudhary, Advocate for
Mr. Rajender Kumar, Advocate,
for the petitioner.

VIKAS SURI, J. (Oral)

Learned counsel for the petitioners submits that the petitioners are major. Petitioner No.1 is married to respondent No.6 and from the said wedlock, one child was born. Petitioner No.1 is not living with her husband. Petitioner No.2 being friend is helping her. The first petitioner has taken shelter with petitioner No.2, which is not to the liking of private respondents and on account of same, they are under threat of being harmed at the hands of respondent Nos.4 to 6.

In view of the above, seeking protection, a representation dated 23.08.2023 (Annexure P-3) was made by the petitioners to the Superintendent of Police, Kaithal (respondent No.2), but to no avail.

In the above circumstances, seeking protection of their life and liberty, the petitioners have approached this Court by way of the present

petition.

A perusal of the record would go to show that the representation dated 23.08.2023 (Annexure P-3) was sent through speed post on 25.08.2023 (12:54). The present petition was drafted on 25.08.2023, which is supported by respective affidavits of the petitioners attested on 22.08.2023 at Chandigarh. The instant petition was instituted on 25.08.2023 at 2:18 P.M. As marital status of petitioner No.2 was not disclosed, Registry of this Court raised a query in that regard. The petition was re-filed on 29.08.2023 and again on 01.09.2023 by giving a note that both the petitioners are living in live-in relationship and are not married to each other. This is a classic example where the affidavits in support of the petition have been drawn and attested three days prior to the petition having drafted and the same being instituted in this Court within an hour and quarter of posting the representation. At the time of institution of petition, the said representation would have apparently been in transit. The present petition is *prima facie* premature, as the petitioners have approached this Court in a pre-determined manner and even without waiting for their alleged representation to reach the concerned quarter.

Faced with the above, learned counsel for the petitioners prays for liberty to pursue the representation and states that the petitioners would be satisfied if a direction is issued for expeditious disposal of the said representation, at this stage. It is also submitted that till today, no action has been taken on the said representation.

Without expressing any opinion on the merits of the matter and in particular the legality of the alleged relationship, the present petition is

disposed of with a direction to the Superintendent of Police, Kaithal (respondent No.2), to consider the aforesaid representation dated 23.08.2023 (Annexure P-3) made on behalf of the petitioners and in case there is any threat perception to them from the side of private respondents, to act in accordance with law and if need be, to provide them interim protection.

It is made clear that this order shall not be taken to validate the alleged live-in relationship or protect the petitioners from legal action for violation of law, if any, committed by them.

September 04, 2023
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(VIKAS SURI)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No