

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRWP-8574-2023 (O&M)
Date of decision: 05.09.2023

Kumari Gaurav @ Sanjana Chaudhary and another

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Talim Hussain, Advocate for the petitioners.

HARNARESH SINGH GILL, J. (ORAL)

This petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of mandamus directing respondents No.1 to 3 to protect the life and liberty of the petitioners at the hands of respondents No.4 to 9.

Learned counsel for the petitioners submits that both the petitioners are major and from different religion. The petitioners are living together in live-in relationship. He further submits that parents of petitioners were informed, but they are issuing threats to the petitioners regarding their live-in relationship. The petitioners have apprehension that the private respondents might implicate them in some false case. The petitioners have submitted a representation dated 24.08.2023 (Annexure P-3) to respondent No. 2-Superintendent of Police, Nuh, District Nuh.

Learned counsel for the petitioners further submits that the petitioners are living in a constant danger as they have every apprehension that respondents 4 to 9 would catch them and carry out their threats. The

petitioners are, therefore, running from pillar to post for protection of their life and liberty.

In support of his contentions, learned counsel for the petitioners relies upon the judgments passed by the Hon'ble Supreme Court in '*Nandakumar and another Vs. State of Kerala and others*' 2018(2) RCR (Civil) 899; and *Indra Sarma Vs. V.K.V. Sarma*' 2013(15) SCC 755.

Notice of motion for respondent Nos.1 to 3 only, at this stage.

On the asking of this Court, Mr. Rupinder Singh Jhand, Addl. AG Haryana, accepts notice on behalf of respondent Nos.1 to 3 only.

I have heard the learned counsel for the parties.

Article 21 of the Constitution stipulates protection of life and liberty to every citizen and that no person shall be deprived of his life and personal liberty except according to procedure established by law.

It is the bounden duty of the State as per the Constitutional obligations cast upon it to protect the life and liberty of every citizen.

In view of the above discussion, I dispose of the present petition with a direction to respondent No.2-Superintendent of Police, Nuh, District Nuh, to decide the representation dated 24.08.2023 (Annexure P-3), moved by the petitioners in accordance with law and grant protection to them, if any threat to their life and liberty is perceived.

It is made clear that this order shall not be taken to protect the petitioners from legal action for violation of law if any committed by them.

(HARNARESH SINGH GILL)
JUDGE

05.09.2023
Mangal Singh

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