



2023:PHHC:146799

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

116

CRWP-8795-2023 (O&M)  
Date of Decision: 20.11.2023

Ritu Kashyap and another  
...Petitioners  
Versus  
State of Haryana and others  
...Respondents

**CORAM: HON'BLE MR. JUSTICE VIKAS SURI**

Present:- Mr. Sumit S. Bairagi, Advocate, for the petitioner.  
Mr. Gurvinder Singh Sidhu, AAG, Punjab.  
Mr. Vijay Kumar, Advocate, for the applicant.

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**VIKAS SURI, J. (Oral)**

**CRM-W-1657-2023**

Leave granted in terms of Rule 3-A(i), Chapter 6 Part B,  
Volume 5 of the Punjab and Haryana High Court Rules and Orders.

CRM stands disposed of.

**CRM-W-1658-2023**

The instant application for placing on record Annexure R-1 and  
exemption from filing certified/true typed copy thereof is allowed, subject to  
just exceptions.

CRM stands disposed of.

**CRM-W-1659-2023**

This is an application filed under Section 482 Cr.P.C. seeking  
impleadment of father of petitioner No.1, namely Suresh Kashyap son of

Amar Singh, as party respondent No.5.

Notice of the application.

Mr. Sumit S. Bairagi, Advocate, accepts notice on behalf of the petitioners and pleads no objection to the present application being allowed.

For the reasons mentioned in the application, the instant application is allowed. Suresh Kashyap son of Amar Singh, resident of H.No.85/11, Ward No.3, Near Shiv Mandir, Village Badripur, Tehsil Paonta Sahib, District Sirmaur, Himachal Pradesh, is ordered to be impleaded as respondent No.2.

Amended memo of parties is taken on record.

CRM stands disposed of.

**CRWP-8795-2023**

1. At the oral prayer of learned counsel for the petitioners, hearing of the main petition is preponed to today and with the consent of learned counsel for the parties, the same is taken on board for consideration.
2. Prayer in this petition filed under Article 226 of Constitution of India, is for protection of life and liberty of the petitioners, who claim themselves to be major.
3. On 06.09.2023, following order was passed:-

“This is a petition under Article 226 of the Constitution of India seeking protection of life and liberty of the petitioners, who claim themselves to be major.

It is pleaded that petitioner No.1 is married to respondent No.4 and does not want to live with him. Respondent No.4 is working abroad and returned after more than 06 years in May, 2023. Petitioner

No.1 has moved in with petitioner No.2 much against the wishes of the private respondent. It is submitted that petitioners are now living together, in live-in relationship and apprehending danger to their life and liberty at the hands of respondent No.4, petitioner No.1 moved representation dated 31.08.2023 (Annexure P-3), but to no avail.

At this stage, Mr. Vijay Kumar, Advocate appears and has filed his power of attorney on behalf of father of petitioner No.1, who has not been impleaded as a party respondent in the present petition. He submits that he is against the action of petitioner No.1, who is married to respondent No.4, wanting to live together with petitioner No.2 in a live-in relationship. He further points out that necessary proper parties have not been impleaded. State of Haryana has been arrayed as respondent No.1, whereas the matter pertains to State of Punjab, which has not been arrayed as a party respondent.

Learned counsel for the petitioners is directed to take necessary corrective measures in that regard.

Adjourned to 11.10.2023.

In the meanwhile, without expressing any opinion on the merits of the case or commenting thereon, a direction is issued to Senior Superintendent of Police, Kapurthala-respondent No.2, to examine the matter in the backdrop of representation dated 31.08.2023 (Annexure P-3), and in case there is any threat perception to the petitioners from respondent No.4, 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 relationship between the

petitioners or protect them from legal action for violation of law, if any, committed by them.”

4. On resumed hearing today, learned counsel for the petitioner submits that now there is no threat perception as petitioner No.1 is residing with her father, which fact has been affirmed by learned counsel appearing for respondent No.5, i.e. father of petitioner No.1.
5. In light of the above, no further orders are required to be passed in the present petition and no useful purpose would be served to keep the same pending.
6. Disposed of.

November 20, 2023  
*harish*

( VIKAS SURI )  
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No