

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

CRWP-8853-2023

Date of decision: 11.09.2023

Rekha and another

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present:- Ms. Kamalpreet Kaur, Advocate for the petitioners.

VIKAS SURI, J. (Oral)

1. This is a petition under Article 226/227 of the Constitution of India filed by the petitioners, for issuance of directions to respondent Nos. 1 to 3 to protect life and liberty of the petitioners at the hands of the private respondents and their friends and relatives.

2. The petitioners claim to be adults, who are previously married and have two children each. It is pleaded that the marriage of first petitioner is subsisting whereas petitioner No. 2 is a widower, whose wife is stated to have died on 19.4.2017, as per death certificate (Annexure P-3). It is pleaded that petitioner No. 1 was compelled to leave the matrimonial house in August, 2019 and both her children are presently residing with their father i.e. husband of petitioner No. 1 and are being looked after by him. The two children of petitioner No. 2 are residing with and being looked after by him. It is pleaded that the petitioners developed liking for each other and they decided to live together and are in live-in relationship since August 2022. It

is further pleaded that family of the first petitioner has threatened them by making phone calls.

3. Learned counsel for the petitioner has submitted that a coordinate Bench of this Court vide judgment dated 18.5.2021, passed in **CRWP-4521-2021** titled *Pardeep Singh and another versus State of Haryana and others*, has granted protection in a case where the petitioners were living in live-in relationship.

4. Learned counsel for the petitioners has relied upon the order dated 2.11.2021, passed by a coordinate Bench in **CRWP-10411-2021** titled *Amandeep Kaur and another versus State of Punjab and others*, wherein one of the parties was married and was living with another person other than her husband, this Court has granted protection to the petitioners.

5. Learned counsel for the petitioners submits that petitioners are living in constant danger as they have every apprehension that respondent Nos. 4 and 5 would carry out their threats and may go to the extent of eliminating them. Petitioner No. 1 has submitted representation dated 2.9.2023 (Annexure P-4), seeking protection of petitioners' life and liberty to the Superintendent of Police, District Bhiwani, Haryana-respondent No. 2, but to no avail.

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

7. Mr. Gurbir Singh Dhillon, AAG, Haryana, accepts notice on behalf of official respondents-State and waives service.

8. Heard learned counsel for the parties.

9. Without expressing any opinion on the merits of the case or commenting thereon and particularly the legality of the alleged relationship, the present criminal writ petition is disposed of with a direction to

Superintendent of Police, District Bhiwani, Haryana-respondent No. 2, to consider the aforesaid representation dated 2.9.2023 (Annexure P-4) made by petitioner No. 1 and in case there is any threat perception to the petitioners from the side of the private respondents, to act in accordance with law and if need be, to provide them interim protection.

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

(VIKAS SURI)
JUDGE

September 11, 2023
p.singh

Whether speaking/reasoned :	Yes/No
Whether Reportable :	Yes/No