

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

206

**CRWP-10699-2022 (O&M)
Decided on : 25.01.2023**

Lachhmi Rani and another

. . . Petitioner(s)

Versus

State of Punjab and others

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Lupil Gupta, Advocate for the petitioners.

Mr. Anmol Singh Sandhu, AAG, Punjab.

SANJAY VASHISTH, J. (Oral)

Order dated 15.11.2022 passed by this Court says as under:

Petitioner No.1 – Lachhmi Rani, aged 31 years, and Sandeep Kumar, aged 25 years, have approached this Court for seeking protection of their lives and liberty at the hands of private respondents No.4 & 5.

Petitioner No.1 has stated in the petition that she has already married to respondent No.4, and lived together as husband and wife, and out of this wedlock, two children namely; (i) Rajat (now aged 13 years, and (ii) Netik (now aged 11 years), were born. Both are stated to be school going children. Petitioner No.1 has got perturbed with the habits of respondent No.4, as he is drug addict, who always used to demand money from her.

In the backdrop of aforementioned circumstances, petitioner No.1 along with her children is staying in a live-in relationship with petitioner No.2, for the last about 02 years. It is also submitted that petitioner No.2 has taken the responsibility of taking care of both the children of petitioner No.1, and fulfill all their

requirements including that of providing them education. To express bona-fide intention of both the petitioners, learned counsel for the petitioners submits that they are ready to deposit Rs.50,000/- for each of the child (Rs.50,000/- & Rs.50,000/-) in the shape of FDR in some Nationalized Bank, in the name of both the aforementioned children of petitioner No.1. For which both the children would be entitled to seek withdrawal or encashment after attaining their respective age of majority.

He further submits that the photocopies of the respective FDRs would also be placed on record on the next date of hearing.

Learned counsel for the petitioners further submits that on account of live-in relationship between the petitioners, there is always threat from the side of respondents No.4 & 5, and in this regard a representation dated 07.11.2022 (Annexure P-3) has already been submitted to the Sr.Superintendent of Police, Fazilka and SHO Police Station City Fazlka (respondents No.2 & 3, respectively), but no action has been taken thereon so far.

Notice of motion 14.12.2022.

On asking of the Court, Mr. AS Sandhu, AAG, Punjab, who is present in the Court, accepts notice on behalf of respondents No.1 to 3 -State.

This Court is not inclined to go into the detailed factual aspects of the case, however, since protection of lives and liberty of each and every citizen is paramount consideration for the Administration, therefore, in case, there is any danger to the lives and liberty of the petitioners, respondent No.2 is directed to look into and examine the representation dated 07.11.2022 (Annexure P-3), and in case any substance of truth is found in the same, he/she would ensure protection to the lives and liberty of both the petitioners, in accordance with law.

Meanwhile, State will also file status report in the matter.

Thereafter, respondents No. 1 to 3 had filed their status report dated 13.12.2022 which is already on record.

Relevant paragraphs No. 5 and 6 of the said status report says as under:

“5. That it is further respectfully submitted that on 13.11.2022, the petitioner No.1 has suffered a statement wherein she has categorically stated that her marriage was solemnized about 14 years ago with Raju son of Kalu Ram resident of Radha Swami Colony, Fazilka. Out of this wedlock, two sons namely Rajit (aged 13 years) and Netik (aged 9 years) were born. After having dispute with her husband about 8 years ago, she started living separate alongwith my children. For the last about 02 years she is living happily with petitioner No.2 Sandeep Kumar in live-in- relationship alongwith minor children. The petitioner No.1 has also categorically stated that there is no danger to her life and liberty from anyone and the petitioners don't need any protection. Translated version of statement of petitioner No.1 is annexed herewith as Annexure R-1/T for the kind Consideration of the Hon'ble court.

6. That it is respectfully submitted that as per said statement, there is no threat to the Life and liberty of petitioners from any person. If any threat to their life and liberty is reported to the police, their protection will be ensured after assessing the threat perception to the petitioners as per law. However, the deponent undertakes to comply with each and every order passed by the Hon'ble court in this case”.

From the response filed by State, it is clear that there is no threat to the lives and liberty of the petitioners. Rather the petitioners have failed to comply with the condition imposed in order dated 15.11.2022

regarding expressing their bonafide intention by depositing of Rs. 50,000/- for each of the child of petitioner No. 1 (Rs.50,000/- & Rs.50,000/-), in the shape of FDR in some Nationalized Bank, in the name of both the children of petitioner No. 1 namely, *Rajat (aged about 13 years, and Netik (aged about 11 years)* .

Thus, on the basis of stand taken by State as well as for non compliance of the order dated 15.11.2022 passed by this Court, **present petition stands dismissed.**

(SANJAY VASHISTH)
JUDGE

25.01.2023

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<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>