

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRWP-10795-2023

Date of Decision:-06.11.2023

Gurpreet Kaur and another

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Varun Goyal, Advocate for the petitioners.

Mr. Siddharth Attri, AAG, Punjab.

ALOK JAIN, J. (Oral)

1. The present petition has been filed *inter alia* praying for protection of life and liberty of the petitioners, who are claiming themselves to be in a live-in relationship.

2. Learned counsel for the petitioners submits that petitioner No. 1 is a married woman, who was married to respondent No. 6 but relies upon Annexure P-1 which is a letter issued by the Gram Panchayat, to submit that a *Panchayati* divorce had been given to her, however, this letter does not bear any date. Learned counsel for the petitioners submits that the stamp paper has been purchased on 11.10.2023 on which Annexure P-1 has been recorded.

3. There is no threat perception coming forth except for bald averments rather the same are contrary to each other. In case, petitioner No. 1 has been granted *Panchayati* divorce then there is no occasion for respondent No. 6 to threaten the petitioners, as he has also

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signed the same. More so, the averments made in para 7 of the petition are self contradictory and do not inspire any confidence.

4. The definition of live-in relationship is:

“Where two adult members who are unmarried, decide to stay together as husband and wife before taking the decision of marriage”.

However, in this case, since, petitioner No. 1 is already a married woman cannot be held to be in a live-in relationship, as that would clearly violate the obligations of a marriage.

5. Learned counsel for the petitioners relies upon the judgment passed by this Court on previous occasions, where married women are found to be in a relationship with unmarried young men, however, in none of the case therein, the petitioners had relied upon any *Panchayati* divorce.

6. The judgments relied upon by the petitioners categorically detailed out a threat perception which is not coming forth in the present petition.

7. Accordingly, I do not find any merit in the present petition and the same is dismissed.

8. Needless to say that the State is duty bound to protect all its citizens and shall do in the present case also, in case, there is any threat perception.

(ALOK JAIN)
JUDGE

November 06, 2023

Parul

Whether speaking/reasoned:-
Whether Reportable:-

Yes/No
Yes/No