

CRWP-12131-2023

(107) IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRWP-12131-2023 (O & M)

Date of decision: 16.12.2023

Shibani Saini and anr.

..... Petitioners

V/s

State of Punjab and ors.

.....Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Sohrab Dhanda, Advocate, for the petitioners.

JASJIT SINGH BEDI, J. (Oral)

The petitioners have approached this Court for issuance of necessary directions to respondents No.2 and 3 for protecting their lives and liberties which according to them are at stake because they are in a live-in-relationship. The petitioner No.1-Shibani Saini claims herself to be major as according a copy of the Aadhar Card (Annexure P-1) her date of birth is 17.02.2003 whereas petitioner No.2-Jaswinder Singh is a minor being the age of 18 years as according a copy of his Aadhar Card (Annexure P-2) his date of birth is 04.08.2005.

The learned counsel for the petitioners submits that a marriage is not a must for providing security to a couple in a 'live-in-relationship' because protection qua life and liberty is sacrosanct and stands at the highest pedestal. He has also placed reliance upon orders passed by the co-ordinate Bench of this Court in '*Sarabjeet Kaur and*

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07.01.2022 and ‘*Goutam Kumar and another versus State of Punjab and others*’ in CRWP-8088-2021 decided on 26.08.2021 and ‘*Bharti and Another versus State of U.T., Chandigarh & others, CRWP-9470-2020, decided on 19.11.2020*’.

Notice of motion to respondents No. 1 to 3.

On the asking of the Court, Mr. Kirat Singh Sidhu, DAG, Punjab, accepts notice on behalf of the official respondents. Since no order prejudicial to the interest of the parties is being passed, therefore, there is no necessity of inviting any response.

At this stage, without expressing any opinion on the merits of the case, as well as on the age and nature of the relationship between the petitioners, I deem it appropriate to direct respondent No. 2- Senior Superintendent of Police, Rupnagar, to look into the matter and pass an appropriate order in the representation allegedly filed by the petitioners before him on 11.12.2023 (Annexure P-3). It would be appreciated if necessary orders are passed within one month from the date of receipt of copy of this order.

However, if the petitioners are found to have been involved in any other case then this order shall not preclude the competent authority from taking lawful action against the petitioners.

Disposed of.

(JASJIT SINGH BEDI)

JUDGE

December 16, 2023

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Whether speaking/reasoned

: Yes/No

Whether reportable

: Yes/No