

2024:PHHC:108502



290.

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

**CRWP-2701-2024**

Date of decision: 22.08.2024

Arti and another

.... Petitioners

Versus

State of Punjab and others

.... Respondents

**CORAM: HON'BLE MR. JUSTICE GURBIR SINGH**

Present: Mr. Rajat Verma, Advocate for  
Mr. Munish Raj Chaudhary, Advocate, for the petitioners.

Ms. Avneet, AAG, Punjab, for respondent No.1 to 3.

Respondents No.4 to 6 in person.

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**GURBIR SINGH, J. (Oral)**

1. Present criminal writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the official respondents to protect the life and liberty of petitioners at the hands of private respondents No.4 to 6.

2. It is submitted that petitioners are in live-in relationship. They want to marry on attaining the age of marriage. The date of birth of petitioner No.1-Arti is 18.02.2006 and the date of birth of petitioner No.2-Parampal Singh is 14.12.2005 (less than 21 years of age). Parents of petitioner No.1 have already expired and she is residing with her grandmother i.e. respondent No.4. The family members of petitioner No.1 are forcefully trying to marry petitioner No.1 with some other person of

their choice, which is not acceptable to her. The private respondents No.4 to 6 are against the relationship of petitioners and are giving life threats to them. The petitioners approached Senior Superintendent of Police (Rural), Amritsar by way of representation dated 19.03.2024 (Annexure P-3), but no action has been taken thereon.

2.1 Pursuant to order dated 18.07.2024 passed by this Court, respondents No.4 to 6 are present before this Court. Their joint statement has been recorded in Court today that the petitioners would have no threat perception from them and they can live their life in their own way.

2.2 Status report by way of affidavit of Tejinder Pal Singh, P.P.S. Deputy Superintendent of Police, P.B.I-NDPS-cum-Narcotics, Amritsar (Rural), along with Annexures R-1/T and R-2/T, on behalf of respondents No.1 to 3, has been filed in Court today, which is taken on record. As per the reply, an FIR No.17, dated 20.03.2024, under Sections 363 and 366 of IPC, Police Station Mattewal, Amritsar (Rural) was registered on the basis of statement of respondent No.4 (grandmother of petitioner No.1) with the allegation that petitioner No.2 has enticed away petitioner No.1 on the false pretext of marriage. However, it is submitted that the police is duty bound to protect the life and liberty of the petitioners whenever required by them.

3. I have heard learned counsel for the parties and have gone through the paper book.

4. Although respondents No.4 to 6 have made statement that there is no threat to the petitioners from their side, but this Court is bound to protect the life and liberty of the petitioners.

4.1 Marriage is not must for providing security because protection *qua* life and liberty is sacrosanct and stands at the highest pedestal. Reliance is placed upon orders passed by the co-ordinate Bench of this Court in *Sarabjeet Kaur and another versus State of Punjab and others* in CRWP-102-2022 decided on 07.01.2022 and *Goutam Kumar and another versus State of Punjab and others* in CRWP-8088-2021 decided on 26.08.2021.

5. Without expressing any opinion on the merits of the case and the nature of relationship between the petitioners, I deem it appropriate to direct respondent No.2-Senior Superintendent of Police (Rural), Amritsar, District Amritsar, to look into the matter and pass an appropriate order on the representation filed by the petitioners before him on 19.03.2024 (Annexure P-3), which shall be considered by respondent No.2 in accordance with law. It would be appreciated if necessary orders are passed within one month from the date of receipt of copy of this order. Till then, protect the life and liberty of the petitioners.

6. 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.

7. Present petition stands disposed of accordingly.

**(GURBIR SINGH)**  
**JUDGE**

**August 22, 2024**  
sanjeev

Whether speaking/reasoned: Yes/No  
Whether reportable: Yes/No