

CRWP-2821-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRWP No. 2821 of 2024
Date of Decision: 28.03.2024

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ARSHAD MOHD. AND ANR

.....Petitioners

Versus

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH.

Present: Mr. Imran Farooqi, Advocate (Through VC)
for the petitioners.

GURBIR SINGH, J.(ORAL)

The petitioners seek a writ in the nature of mandamus directing official respondents to protect their life and liberty at the hands of respondent Nos.4 to 8, with a further prayer to take appropriate legal action on representation dated 20.03.2024 (Annexure P-3).

It is stated that both petitioners are major as date of birth of petitioner No.1 is 05.08.1993 and date of birth of petitioner No.2 is 09.02.2002. The copies of Aadhar cards of petitioners are annexed as Annexure P-1 and P-2. It is further stated that they have been in live-in relation for the past year.

The private respondent Nos. 4 to 8 are against the relationship of petitioners and harassing the petitioners and threatened the petitioners to face the dire consequences.

The learned counsel for the petitioners has also submitted 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

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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.

Notice of motion to respondents No. 1 to 3.

On asking of the Court, Mr. Amandeep Singh, DAG, Punjab accepts notice on behalf of the official respondents No.1 to 3. 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 petitioner No.1 and petitioner No.2, I deem it appropriate to direct respondent No. 2- Senior Superintendent of Police Malerkotla, to look into the matter and pass an appropriate order in the representation allegedly filed by the petitioners before him on 20.03.2024. 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.

However, if the petitioners is 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.

28.03.2024

Sonia Puri

(GURBIR SINGH)
JUDGE

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