

2024:PHHC:048048

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

117

CRWP-3135-2024
Date of Decision : April 09, 2024

KAVITA AND ANOTHER

.....Petitioners

VERSUS

STATE OF HARYANA AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr.Rajinder Yadav, Advocate
for the petitioners.

KULDEEP TIWARI. J.(Oral)

1. The petitioners have knocked the doors of this Court by filing criminal writ petition under Articles 226/227 of the Constitution of India for issuance of directions to the official respondents no. 2 and 3 to protect the lives and liberty of the petitioners and to restrain the private respondents no. 4 to 7 from harassing the petitioners or interfering in their peaceful '*Live-in-relationship*'.

2. Learned counsel for the petitioners submits that the date of birth of petitioner no. 1 is 01.08.2001 and thus, she is about 22 years of age, and the date of birth of petitioner no. 2 is 15.09.2002 and therefore, he is about 21 years of age. To substantiate his submission, he has placed reliance on Aadhar Cards of both the petitioners which are annexed respectively as (Annexure P/1 and P/2) with the present writ petition. It is further averred that there is no blood relationship between them and they are living together in a '*Live-in-relationship*' and they are receiving continuous threats from the private respondents concerned. They have

also approached the official respondents by filing representation dated 05.04.2024 (Annexure P/3).

3. Notice of motion.

4. On asking of the Court, Mr. Bhupender Singh, DAG, Haryana, accepts notice on behalf of respondents no.1 to 3.

5. Learned counsel for the petitioners has placed reliance on the order passed by a Co-ordinate Bench of this Court in case titled **Sonia Rani and anr. Vs State of Punjab & Ors, CRWP-12177-2022 decided on 23.12.2022** wherein, the protection has been granted in a case, where the petitioners were living in a '*Live-in-relationship*'.

6. The said Co-ordinate Bench, in the above matter, has observed as under:-

“13. In view of the same, it goes without saying that the protection of life and liberty is a basic feature of the Constitution of India as emanating out of Article

21. Every person, more so, a major, has right to live his/her life with a person of his / her choice.

Whenever this Court, prima-facie, is satisfied that on account of some relatives/ persons being unhappy with the relationship between the petitioners could cause harm to the life and liberty of the petitioners, then in such circumstances, the Courts are required to pass necessary directions for their protection.

15. Keeping in view the abovesaid facts and circumstances and without commenting upon the legality of the relationship between the petitioners or expressing any opinion on the merits of the case, this Court deems it appropriate to dispose of the present petition with a

direction to respondent no.2 to consider the representation dated 20.12.2022 (Annexure P-3) and to assess the threat perception to the petitioners and after considering the same, respondent No.2 shall take appropriate action in accordance with law.”

7. In view of the above, the present petition is disposed of with a direction to respondent no. 2–Superintendent of Police, Ladwa, to consider the representation dated 05.04.2024 (Annexure P/3), and assess the threat perception to the petitioners and after considering the same, to take appropriate action, in accordance with the law.
8. However, it is clarified that in case any criminal case has been registered, this direction will not debar the police from taking appropriate legal action by the police, in accordance with the law.
9. Petition stands disposed of accordingly.

April 09, 2024
dharamvir

(KULDEEP TIWARI)
JUDGE

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