



CRWP-5265-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRWP-5265-2024
Date of Decision : May 31, 2024

MADHURI AND ANOTHER -PETITIONERS

V/S

STATE OF PUNJAB AND OTHERS -RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Rampal Kaushik, Advocate
for the petitioners.

Mr. Pardeep Bajaj, D.A.G., Punjab.

KULDEEP TIWARI, J. (ORAL)

1. Through the instant petition, as filed under Article 226 of the Constitution of India, the petitioners, who are in a 'live-in relationship', have sought issuance of directions upon the official respondents No.2 and 3, to ensure protection of their lives and liberty at the hands of respondents No.4 to 6, and, also to restrain the said respondents from harassing them or interfering in their lives.

2. The petitioners, in their asking for the relief (supra), have made submissions that although both of them have attained the age of majority, as the petitioner No.1 was born on 01.01.2004, while the petitioner No.2 was born on 05.01.2004, however, the petitioner No.2 has not attained the minimum age, as prescribed by statute, for solemnizing marriage. The petitioners have appended their respective age proof(s)/affidavit as Annexures P-1 and P-2 with the instant petition. The further submissions, as made in the instant petition, are that since the petitioner No.2 has not yet attained the min-



imum age prescribed for solemnizing marriage, therefore, the petitioners have been living in 'live-in relationship'. However, their 'live-in relationship' has caused grievance to the respondents No.4 to 6. As a result of such grievance, the respondents No.4 to 6 threatened to kill the petitioners, which has made them apprehensive of danger to their lives and liberty and resultantly, has constrained them to approach this Court, to seek protection of their lives and liberty.

3. It would be apt to record here that, it has been mentioned in the instant petition that, in the Aadhar Card (Annexure P-3) of petitioner No.2, although his date of birth has been recorded as 12.09.2008, however, the same has been wrongly recorded.

4. It is further averred in the petition, that consequent upon threats being extended by the respondents No.4 to 6, the petitioners made a representation dated 29.05.2024 (Annexure P-4) to the respondent no.2, expressing therein their apprehension about danger to their lives at the hands of the respondents No.4 to 6.

5. The learned counsel for the petitioners has submitted that he would be satisfied in case the respondent no.2-Sr./Superintendent of Police S.A.S. Nagar, is directed to look into the representation (supra) and after considering threat perception to the petitioners, to take appropriate action.

6. Notice of motion to the official respondent(s) only.

7. On the asking of the Court, Mr. Pardeep Bajaj, D.A.G., Punjab, accepts notice on behalf of the official respondents.

8. Without commenting anything as regards the veracity of the averments made in the petition and also as regards the sanctity of alleged re-



lationship of the petitioners, this Court deems it appropriate to dispose of the present petition with a direction to respondent no.2-Sr./Superintendent of Police, S.A.S. Nagar, to consider the representation (supra) 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. In case, it is found that there is a genuine threat to the lives and liberty of the petitioners, then necessary steps warranted under law be taken at the earliest, so as to ensure that no harm is caused to the petitioners.

9. It is, however, clarified that this order shall not be taken to be any expression as regards the alleged relationship of the petitioners and shall not confer any immunity upon the petitioners, in case it is found that they have committed any wrong.

10. Disposed of accordingly.

May 31, 2024
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(KULDEEP TIWARI)
JUDGE

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