



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

**CRWP-5418-2024
Date of Decision: 07.06.2024**

Sarabjit Kaur and another

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Gurvinder Singh Pannu, Advocate for
Mr. Simrandeep S.Sandhu, Advocate
for the petitioners.

HARSH BUNGER J. (ORAL)

Petitioners have filed the instant petition under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure for issuance of directions to respondents No.2 and 3 to provide protection of life and liberty to the petitioners, who have not solemnized marriage so far but are living in a live-in relationship and are under eminent threats at the hands of private respondents No.4 to 7.

2. The Date of Birth of petitioner No.1 (Sarabjit Kaur) is 01.01.1988 and that of petitioner No.2 (Harmandeep Singh) is 01.01.2003. Petitioner No.1 is already married to respondent No.4 (Sahib Singh) and out of the said wedlock, two children have been born.

3. In the context of threat perceptions at the hands of private respondents No.4 to 7, the petitioners have allegedly moved a representation

dated 03.06.2024 (Annexure P-3) before the Senior Superintendent of Police (Rural), District Amritsar (respondent No.2), wherein apprehension to the lives of petitioners has been expressed, however, it is stated that no action has been taken with regard to the said representation.

4. Notice of motion to respondents No.1 to 3/State only.

5. At the asking of Court, Mr. Kunwarbir Singh, Assistant Advocate General, Punjab, who is present in the Court, accepts notice on behalf of respondents No.1 to 3/State.

6. Given the nature of the order being passed, there is no necessity to seek any response by the official respondents or even to serve the private respondents No.4 to 7.

7. Having heard learned counsel for the petitioners, as also learned State counsel, I am of the considered view that every citizen is entitled to protection/enforcement of fundamental rights as envisaged under Constitution of India. It is the bounden duty of State to protect the life & liberty of every citizen as enshrined under Article 21 of the Constitution of India. Right to human life is to be treated on much higher pedestal, regardless of a citizen being minor or major.

8. The petitioners state that they are living in a live-in relationship in constant danger as they have every apprehension that private respondents No.4 to 7 will catch them and carry out their threats and may even go to the extent of eliminating them. The petitioners are, therefore, unable to find any safe place to live in the absence of protection of their lives and liberties, hence the present writ petition seeking appropriate directions to official respondents No.2 and 3 to provide protection qua their lives and liberties.

9. Since the petitioners have not contracted any marriage and seek

only protection qua their lives and personal liberties, therefore, it would be appropriate to direct respondent No.2 – Senior Superintendent of Police (Rural), District Amritsar, to verify the contents of representation dated 03.06.2024 (Annexure P-3), if any, particularly the threat perception of the petitioners, and thereafter provide necessary protection qua their lives and liberties, if deemed fit. Respondent No.2 – Senior Superintendent of Police (Rural), District Amritsar, would pass necessary order without being influenced by any statement of fact recorded hereinabove.

10. It is clarified that this order shall neither be treated as a stamp of this Court qua the status of parties on the basis of live-in relationship nor any reflection on the merits of contentions raised by them in the present petition.

11. The present petition is accordingly disposed of.

12. All pending application(s), if any, shall also stand closed.

07.06.2024*Apurva***(HARSH BUNGER)
JUDGE**

1. Whether speaking/reasoned : Yes/No

2. Whether reportable : Yes/No