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CRWP-5740-2024

Date of Decision: 19.06.2024

Kajal Kaur and another

....Petitioners.

Versus

State of Punjab and others

...Respondents.

CORAM: HON'BLE MRS. JUSTICE SUKHVINDER KAUR

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Present: Mr. Nirmaljeet Singh Sidhu, Advocate
for the petitioners.

SUKHVINDER KAUR, J. (Oral)

Prayer in the instant petition filed under Articles 226/227 of the Constitution of India is for issuance of directions to respondents No.1 to 3 to provide protection of life and liberty to the petitioners, who are living in live-in-relationship, against the wishes of private respondents No.4 to 7.

It is stated that the petitioner No.1—Kajal Kaur is minor as the date of birth is 10.07.2006 and she is less than 18 years and petitioner No.2—Guatam is also not of marriageable age as his date of birth is 15.06.2004 and he is less than 21 years.

The petitioners have decided to live together in live-in-relationship and also decided to solemnize marriage as and when petitioner No.1 will attain the age of majority and petitioner No.2 will be of marriageable age.

The private respondent Nos. 4 to 5 are against the relationship of petitioners and harassing the petitioners and have 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 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.

Mr. Malkiat Singh, DAG, Punjab, appears and 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, to look into the matter and pass an appropriate order in the representation allegedly filed by the petitioners before him on 13.06.2024 (Annexure P3). It would be appreciated if necessary orders are

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passed within one month from the date of receipt of copy of this order. Till then the life and liberty of the petitioners be protected.

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.

Disposed of.

(SUKHVINDER KAUR)
JUDGE

19.06.2024
Komal

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