



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

CRWP-5874-2024

Date of Decision:25.06.2024

GURVINDER KAUR AND ANOTHER

...Petitioners

Versus

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MRS. JUSTICE RITU TAGORE

Present: Mr. Sushil K. Sharma, Advocate
for the petitioners.

Ms. Safia Gupta, AAG, Haryana.

RITU TAGORE, J.(ORAL)

Present writ petition has been filed for issuance of direction to protect lives and liberty of the petitioners from the hands of private respondents No.4 to 8, who are husband and the relatives of petitioner No.1.

According to the petitioners, the marriage of the petitioner No.1 was solemnized with respondent No.4 on 19.06.2011 and two children were born from the wedlock in the year 2013, 2015, respectively. Further as per the averments of the petitioners, the matrimonial life of petitioner No.1 remained disturbed due to abusive conduct of respondent No.4, the husband of petitioner No.1. The petitioner No.1 suffered the acts of domestic violence and torture at the hands of respondent No.4 and his family members, regarding which she filed complaints but each time the matter was compromised. The conduct of respondent No.4 and other private respondents No.5 to 8 were cruel towards her. Eventually petitioner



No.1 left the matrimonial home in June, 2023 by leaving the children with respondent No.4. In this regard, she gave statement before the Sarpanch of Gram Panchayat Chhota Baroula, Block Ambala-1, District Ambala (Annexure P-1) and presently she is in live-in relationship with petitioner No.2. It is stated that both the petitioners fell in love with each other and have decided to stay together in live-in relationship, which is opposed by the private respondents.

It is stated that petitioners are major and have right to choose to live in the manner they liked. It is claimed that private respondents No.4 to 8 are continuously harassing and threatening the petitioners.

Petitioners claim to have submitted a representation (Annexure P-4) dated 18.06.2024 in this regard to the Superintendent of Police, Jind, on which no decision has been taken. Learned counsel for the petitioners restricts his prayer to the effect of deciding the representation of the petitioners.

Heard.

Record perused.

The petitioners have placed on record copies of their Aadhar Cards (Annexures P-2 and P-3) as proof of their age, from the same it is made out that both the petitioners are major.

Herein, the petitioners, have taken a decision to reside together without the sanctity of marriage and it is not for the Courts to judge them on their decision. In **S. Khushboo vs. Kanniammal, (2010) 5 SCC 600**, it has been held that live-in relationship is permissible and the act of two adults living together cannot be considered illegal or unlawful, while further holding



that the issue of morality and criminality are not co-extensive.

Without expressing any opinion as to the sanctity to their live-in relationship, where the safety of the petitioners is the first and foremost concern, at this stage, this petition is disposed of with a direction to respondent No.2-Superintendent of Police, Jind to decide the representation seeking protection of life and liberty of petitioners, be looked into and contents thereof be duly verified and if necessary, requisite steps be taken, strictly in accordance with law for grant of protection of life and liberty to the petitioners. Petitioners are directed to appear before respondent No.2 within a period of one week from today.

It is made clear that the observations made herein are only for the purpose of deciding the present petition only. This order shall have no affect on civil/criminal proceedings, if any, pending/instituted against the petitioners.

It is further made clear that if petitioners are otherwise found to be involved in any other case, in such an eventuality, this order shall not preclude the competent authority from taking appropriate action against the petitioners, that law permits.

(RITU TAGORE)
JUDGE

25.06.2024
Gaurav Sorot

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