



CRWP-5919-2024

:1:

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

110

CRWP-5919-2024

Date of Decision: 25.06.2024

MANDEEP KAUR AND ANOTHER

... Petitioners

VERSUS

STATE OF PUNJAB AND OTHERS

....Respondents

CORAM: HON'BLE MRS. JUSTICE RITU TAGORE

Present: Mr. Kapil Khanna, Advocate
for the petitioners.

RITU TAGORE, J.(Oral)

1. Present petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of mandamus for directing respondents No.2 and 3 to protect life and liberty of the petitioners at the hands of respondents No.4 to 10.

2. Learned counsel for the petitioners submits that both the petitioners are in live-in-relationship. Copies of Aadhar card of both the petitioners are attached as Annexures P-1 and P-2.

3. Counsel for the petitioners submits that aforesaid private respondents No.4 to 10 have threatened to cause harm to both the petitioners and in this regard, representation dated 20.06.2024 (Annexure P-3) has been given to the Senior Superintendent of Police (Rural) District Amritsar, Punjab but till date no action has been

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taken by the concerned authority in this regard.

4. Notice of motion.

5. Dr. Dhaminder Singh Lamba, DAG, Punjab accepts notice on behalf of State of Punjab. He submits that the concerned authority will look into the matter and take decision on the representation of the petitioners in accordance with law.

6. Copies of Aadhar card of both the petitioners are attached as Annexures P-1 and P-2 relied upon by the petitioners as proof of their age, prima facie suggest that both the petitioners are major.

7. 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 considered illegal or unlawful, while further holding that the issue of morality and criminality are not co-extensive.

8. In view of above, without going into the merits of the case and expressing any opinion as to the sanctity of their live-in-relationship because the safety of the petitioners is the first and the foremost concern at this stage, this petition is hereby disposed of with direction to respondent No.2-Senior Superintendent of Police (Rural) District Amritsar, Punjab to consider representation dated 20.06.2024 (Annexure P-3) and to take remedial measures to protect life and



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liberty of petitioners if so warranted, in accordance with law.

9. It is made clear that this order shall not be treated as a stamp of this Court regarding validity of marriage between the parties. This order shall have no affect on civil/criminal proceedings, if any, pending/instituted against the petitioners.

10. It is further made clear that if the 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
Rimpal

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