



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

207

CRWP-6670-2024

Date of decision: 30.08.2024

BABI KAUR AND ANOTHER

...Petitioners

Versus

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Satvinder Singh, Advocate
for the petitioners.

Mr. Sahil R. Bakshi, AAG, Punjab.

KULDEEP TIWARI. J.(Oral)

1. Through the instant criminal writ petition, as filed under Article 226 of the Constitution of India, the petitioners have sought issuance of directions upon the official respondents concerned, to ensure protection of their lives and liberty at the hands of the private respondents concerned.
2. Petitioner No.1, who is stated to be already married to one Ajit Singh, decided to walk out from her matrimonial relationship, without taking any divorce, and started living in live-in-relationship with petitioner No.2, who is stated to be unmarried. Having apprehension to their life and liberty at the hands of the private respondents concerned, the instant motion has been filed.
3. This Court, vide order dated 06.08.2024, directed the learned State counsel to file a reply, on affidavit of a responsible functionary, detailing therein, whether the threat perception, as alleged by the petitioners, genuinely exists or the same is based upon mere assumptions and presumptions.

2. Petitioner No.1, who is stated to be already married to one Ajit Singh, decided to walk out from her matrimonial relationship, without taking any divorce, and started living in live-in-relationship with petitioner No.2, who is stated to be unmarried. Having apprehension to their life and liberty at the hands of the private respondents concerned, the instant motion has been filed.

3. This Court, vide order dated 06.08.2024, directed the learned State counsel to file a reply, on affidavit of a responsible functionary, detailing therein, whether the threat perception, as alleged by the petitioners, genuinely exists or the same is based upon mere assumptions and presumptions.



- 2-

4. Reply by way of affidavit dated 29.08.2024 of Sh. Inderjeet Singh, PPS, Deputy Superintendent of Police, Sub-Division Rajasansi, Amritsar Rural has been filed on behalf of respondent-State. The same is taken on record. Copy of the same has been supplied to the opposite counsel.

5. A perusal of the reply (supra), reveals that the Station House Officer, Amritsar Rural, conducted an inquiry, and also recorded the statements of the petitioners, wherein, they submitted that they do not have any threat perception, as on date. The relevant extract of the same, reads as under:-

“3.That the Station House Officer, Police Station Bhindi Saidas, Amritsar (Rural) has reported therein that enquiry relating to the aforesaid subject matter was conducted through Sub-Inspector Lakhwinder Singh, Police Station Bhindi Saidan, Amritsar (Rural), who joined the petitioner No. 1 in enquiry and recorded her statement, who had stated therein that her marriage was solemnized with Ajit Singh but her husband Ajit Singh used to give her beating under the influence of alcohol, due to which she left her matrimonial house and started living in live-in relationship with the petitioner No. 2. She further alleged that she was apperhending threat from her parental family due to her live-in relationship with the petitioner No. 2 but now the her parental family do not have any objection with her live-in relationship. So she do not require any security. The true translation of the statement of the petitioner and the report dated 11.08.2024 submitted by the Station House Officer, Police Station Bhindi Saidan, Amritsar (Rural) is attached herewith for the kind perusal of this Hon'ble Court as Annexure R-1/T and R-2/T.

4.That it is humbly submitted that so far, as the protection of life and liberty of the petitioner is concerned, the police authorities of the Amritsar (Rural) are committed and duty bound to protect the life and liberty of the petitioner by providing every possible help to him whenever required. The answering respondents undertakes that



necessary action will be immediately taken to ensure safety of life and liberty of the petitioner after carrying out ground level assessment and if the need be, adequate security will be provided to him in accordance with the rules and procedure.

- 6. In view of the above, no further direction is required to be passed in the instant petition.
- 7. The instant petition is **disposed** of accordingly.

30.08.2024
amandeep

(KULDEEP TIWARI)
JUDGE

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