

2024:PHHC:097217



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

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CRWP-7050-2024 (O&M)
Date of decision: 31.07.2024

Renu and another**...Petitioners****Versus****State of Haryana and others****...Respondents****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. Vipul Sharma, Advocate
for the petitioner.

Mr. Arjun Lakhanpal, Addl. A.G., Haryana.

MANISHA BATRA, J. (Oral)

1. The present criminal writ petition has been filed under Article 226 of the Constitution of India seeking issuance of directions to respondent Nos. 3 and 3 to protect the life and liberty of the petitioners at the hands of respondent Nos. 7 to 10.

2. Learned counsel for the petitioners submits petitioner No. 1 was married to respondent No. 7. However, she is living in live-in-relationship with petitioner No. 2 Jaiveer out of her own free will due to ill treatment of her husband but respondent No. 7 has got registered an FIR bearing No. 108 dated 11.07.2024 under Section 127(6) of Bhartiya Nyay Sanhita, 2023 against petitioner No. 2 with the allegations that he has wrongfully confined his wife. They are also extending threats to the life and liberty of the petitioners. The petitioners have moved a representation dated 19.07.2024 (Annexure P-2), in this regard, to SHO of Police Station City Kanina but no action has been taken thereon.

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3. Vide order dated 24.07.2024, petitioner No. 1 as well as the Investigating Officer were directed to remain present before this Court. In compliance thereof, both of them are present in Court today. Learned State counsel has placed on record the statements of respondent Nos. 7 and 8, recorded under Section 161 of Cr.P.C., whereby they have stated that they have not extended any threat to petitioner No. 1. The Investigating Officer has joined the petitioner No. 1 in investigation of case arising out of aforementioned FIR No. 108 today in the Court premises and has submitted that her statement has been recorded by him, as per which, she is major and is living with petitioner No. 2 with her own free will due to ill treatment given to her by respondent No. 7.

4. In view of the above, without expressing any opinion on the merits of the matter or on the legality of the relationship of the petitioners, the present petition is disposed of with a direction to Superintendent of Police, District Mahendergarh-respondent No.2 to consider the representation dated 19.07.2024 (Annexure P2) made by the petitioners and in case there is any threat perception to the petitioners at the hands of the private respondents, to act in accordance with law and if need be, to provide them adequate protection.

5. Further, respondent No. 2 shall also ensure the protection of life and liberty of the petitioner No. 1 by providing them adequate police security if she is required to appear before the trial Court for recording of her statements in connection with the aforesaid FIR.

31.07.2024*Waseem Ansari***(MANISHA BATRA)
JUDGE***Whether speaking/reasoned
Whether reportable**Yes/No
Yes/No*