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

CRWP-7853-2024(O&M)

Date of Decision: August 22, 2024

Kawaldeep Kaur and another

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAJESH BHARDWAJ

Present: Mr.Joginder Pal Devgan, Advocate
for the petitioners.

.....

RAJESH BHARDWAJ, J.(ORAL)**CRM-W-1062-2024**

Instant application has been filed for placing on record the affidavit of petitioner No.1 as Annexure P-5.

It has been submitted by learned counsel for the petitioners that to show her bona fide, petitioner No.1 has filed the affidavit that she is going to file the divorce petition for dissolving her marriage with respondent No.8. He has further submitted that there are no chances of amicable settlement of petitioner No.1 with respondent No.8.

After hearing learned counsel for the applicant/petitioners, application is allowed. Affidavit of petitioner No.1 is taken on record.

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Present petition has been filed under Articles 226/227 of the Constitution of India read with Section 528 of Bharatiya Nagrik Suraksha

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Sanhita, 2023, for directing respondents No.1 to 3 to protect the life and liberty of the petitioners from the hands of respondents No.4 to 9. It is further prayed to issue directions to respondent No.2 to take appropriate action on the representation, dated 31.07.2024, Annexure P-3, submitted by the petitioners to take legal action against respondents No.4 and 9

Learned counsel for the petitioners states that both the petitioners are major. Petitioner No.1 was earlier married with respondent No.8, whereas petitioner No.2 was earlier married to respondent No.9. Petitioner No.1 has filed an affidavit that she would file a divorce petition to get divorce from respondent No.8 whereas petitioner No.2 is living separately from respondent No.9 for the last more than three years. It is further submitted that now both the petitioners are living together against the wishes of respondents No.4 to 9 and have sought protection to their life and liberty. They apprehend danger from respondents No.4 to 9. The petitioners have submitted a representation, dated 31.07.2024 (Annexure P-3) to respondent No.2.

Notice of motion to respondents no.1 to 3-State only.

On the asking of the Court, Mr.Tarun Aggarwal, Sr.DAG, Punjab, who is present in Court, accepts notice on behalf of the respondents/State.

Without entering upon an exercise to evaluate the evidentiary value of the documents placed on the file, I dispose of the petition with a direction to respondent No.2-Senior Superintendent of Police, Police District Batala, District Gurdaspur, to decide the representation (Annexure P-3) of the petitioners and grant them protection, if any threat to their life and liberty



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is perceived. It is clarified that this order shall not be taken to grant immunity to the petitioners from legal action for violation of law, if any, committed by them. This order would not be understood having expressed any opinion whatsoever by this Court on the validity of their live-in-relationship.

August 22, 2024
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(RAJESH BHARDWAJ)
JUDGE

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| 1. Whether speaking/reasoned ? | Yes/No |
| 2. Whether reportable ? | Yes/No |