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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRWP-8343-2024

Date of Decision: 30.08.2024

Priya and Another

..... Petitioners

Versus

State of Punjab and Others

..... Respondents

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present: Mr. Rimple Saini, Advocate
for the petitioners.

Mr. Kewal Singh, Addl. A.G. Punjab.

AMARJOT BHATTI, J.(oral)

1. Petitioners Priya and Billa Masih have filed present petition under Articles 226/227 of the Constitution of India for issuance of writ of Mandamus, issuing directions to official respondents No. 1 to 3 to protect life and liberty of petitioners from the hands of private respondents No. 4 to 6

2. It is argued that both petitioners are major. Petitioner No.1 is 26 years old, copy of her Aadhaar Card is Annexure P-1. Petitioner No. 2 is 40 years old, copy of his Aadhaar Card is Annexure P-2. They are in live-in relationship. Both claimed that they have obtained divorce in Panchayat. The petitioners also moved representation to Senior Superintendent of Police, Batala, which is Annexure P-3. The respondents No. 4 to 6 are family members of petitioner No. 1 from whom, petitioners are receiving threats.

3. Notice of motion.

4. On asking of this Court, Mr. Kewal Singh, Addl. A.G. Punjab accepts notice on behalf of the State. Complete copy of paperbook along with supporting documents is already supplied.

5. Considering nature of litigation, no purpose would be served by serving notice to private respondents.

6. I have considered facts narrated in the petition, according to which both petitioners are major and are in live-in relationship against the wishes of their family, as a result they are apprehending threats from the hands of respondents No. 4 to 6. It is duty of police to protect life of petitioners. Therefore, respondents No. 2 and 3 are directed to consider representation of petitioners dated 28.08.2024 (Annexure P-3) and protect life of petitioners from the hands of respondents No.4 to 6 considering threat perception.

7. Aforesaid protection order will have no bearing on the legality of their relationship and it will not protect them in case there is any violation of law or pending legal proceedings.

8. Petition is accordingly disposed of.

9. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

(AMARJOT BHATTI)
JUDGE

30.08.2024

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