

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

116 CRWP-8731-2024
Date of Decision: 09.09.2024

Sajan and anotherPetitioners.

Versus

State of Punjab and others ...Respondents.

CORAM: HON'BLE MRS. JUSTICE SUKHVINDER KAUR

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

SUKHVINDER KAUR, J. (Oral)

1. The petitioners seek a writ in the nature of mandamus directing respondent Nos. 1 to 3 to protect their life and liberty at the hands of respondents No.4 and 5, with a further prayer to take appropriate legal action on representation dated 31.08.2024 (Annexure P-3).
2. It is stated that the petitioner No.1 is major as the date of birth of petitioner No.1 is 01.05.2003 and petitioner No.2 is minor as the date of birth of petitioner No.2 is 13.04.2007 and she is less than 18 years.
3. The petitioners have decided to live together in live-in-relationship and also decided to solemnize marriage as and when petitioner No.2 will attain the age of marriage i.e. 18 years however presently age of petitioner No.2 is less than 18 years.

4. The private respondent Nos. 4 and 5 are against the relationship of petitioners and harassing the petitioners and have threatened the petitioners to face the dire consequences however the parents of the petitioner No.1 do not have any objection of this relation and also for their marriage.

5. The learned counsel for the petitioners has also submitted that a marriage is not a must for providing security to a couple in a 'live-in relationship' because protection qua life and liberty is sacrosanct and stands at the highest pedestal. He has also placed reliance upon orders passed by the co-ordinate Bench of this Court in '*Sarabjeet Kaur and another versus State of Punjab and others*' in CRWP102-2022 decided on 07.01.2022 and '*Goutam Kumar and another versus State of Punjab and others*' in CRWP-8088-2021 decided on 26.08.2021.

6. Notice of motion to respondents No. 1 to 3.

7. On asking of the Court, Mr. Siddharth Attri, AAG, Punjab, appears and accepts notice on behalf of the official respondents No.1 to 3. Since no order prejudicial to the interest of the parties is being passed, therefore, there is no necessity of inviting any response.

8. In view of the limited prayer made by the petitioners, the petition is disposed off with a direction to respondent No.2 – Senior Superintendent of Police, Moga to look into the representation dated 31.08.2024 (Annexure P-3) at the earliest and take necessary steps, if any required, in accordance with law, to ensure that the life and liberty of the

petitioners is not jeopardized at the hands of the private respondents. However, this direction will not validate the marriage said to have taken place between the parties and will have no effect on any civil or criminal proceedings, which could be initiated in the matter in accordance with law.

9. Disposed of.

(SUKHVINDER KAUR)
JUDGE

09.09.2024.
Komal

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