

**CRWP-10451-2024**

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**CRWP-10451-2024****Date of Decision: 28.10.2024**

Kashish and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present:- Mr. Simranjot Singh, Advocate for
Mr. Lupil Gupta, Advocate
for the petitioners.

KIRTI SINGH, J.(Oral)

This petition has been filed under Article 226 of the Constitution of India for issuance of a direction to the official respondents No.1 to 3 for the protection of the life and liberty of the petitioners from the private respondents No.4 to 9.

2. Petitioner No.1 is stated to be born in the year 2006 and she is 18 years old and the date of birth of petitioner No.2 is 20.10.2005 and he is 19 years old, for the said purpose, reference has been made to the Aadhar Cards (Annexure P-1 and P-2). Petitioner No.2 is not of marriageable age and they are living in a live in relationship.

3. Learned counsel for the petitioners submits that the petitioners had presented a representation dated 22.10.2024 (Annexure P-3) to respondent No.2 and would be satisfied in case respondent No.2 is directed to look into the said representation and after considering the threat perception to the petitioners to take

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appropriate action.

4. Notice of motion to respondents No.1 to 3 only.
5. At the asking of the Court, Mr. Vinay Kumar, DAG Punjab accepts notice on behalf of the respondents No.1 to 3- State and has stated that he has no objection in case respondent No.2 is directed to look into the representation of the petitioners on the aspect of threat perception and to take appropriate action.
6. Counsel for the petitioners is directed to supply a copy of the complete paper book to the learned State counsel.
7. In view of the fact that protection of life and liberty is a fundamental right emanating out of Article 21 of the Constitution of India and the scope of the present petition is only regarding protection of life and liberty of the petitioners.
8. Keeping in view the abovesaid facts and circumstances and without commenting upon the legality of the relationship between the petitioners or expressing any opinion on the merits of the case, this Court deems it appropriate to dispose of the present petition with a direction to respondent no.2 to consider the representation dated 22.10.2024 (Annexure P-3) and to assess the threat perception to the petitioners and after considering the same to take appropriate action in accordance with law.
9. Accordingly, the petition stands disposed of with abovesaid directions. It is, however, clarified that this order shall not debar the State and/or any person aggrieved from proceeding against the petitioners for violation of any law or if they are involved in any other case.

28.10.2024

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**(KIRTI SINGH)
JUDGE**