



CRWP-12249-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(150)

CRWP-12249-2024
Date of Decision : 18.12.2024

Gulfshan and another ...Petitioners

Versus

State of Haryana and others ...Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Deepak Kumar Bartia, Advocate
for the petitioners.

Mr. Bhupender Singh, DAG, Haryana.

KULDEEP TIWARI, J.(Oral)

1. The petitioners have knocked the doors of this Court, by filing the instant criminal writ petition, under Article 226 of the Constitution of India, for issuance of directions to the official respondents No.2 and 3, to protect the lives and liberty of the petitioners, and to restrain the private respondents No.4 to 8, from harassing the petitioners, or interfering in their peaceful *'live-in-relationship'*.

2. Learned counsel for the petitioners submits that both the petitioners are unmarried. He further submits that the petitioner No.1 is of 29 years and the petitioner No.2 is of 33 years. To substantiate his submission, he has placed reliance on Aadhaar Cards of both the petitioners, which are annexed as Annexures P-1 and P-2, respectively, with the instant criminal writ petition. It is further averred, that there is no blood relationship between them and they are living together in a *'live-in-relationship'* and they are receiving continuous threats from the private respondents concerned. They



have also approached the official respondents by filing representation dated 16.12.2024 (Annexure P-3).

3. Notice of motion.

4. On asking of the Court, Mr. Bhupender Singh, DAG, Haryana, waives service and accepts notice on behalf of the official respondents No.1 to 3.

5. Learned counsel for the petitioners has placed reliance on the order passed by a Co-ordinate Bench of this Court, in case **CRWP-12177-2022**, titled '**Sonia Rani and another Vs. State of Punjab and others**', decided on 23.12.2022, wherein, the protection has been granted in a case, where the petitioners were living in a '*live-in-relationship*'.

6. The said Co-ordinate Bench, in the above matter, has observed as under:-

"13. In view of the same, it goes without saying that the protection of life and liberty is a basic feature of the Constitution of India as emanating out of Article

21. Every person, more so, a major, has right to live his/ her life with a person of his / her choice.

Whenever this Court, prima-facie, is satisfied that on account of some relatives/ persons being unhappy with the relationship between the petitioners could cause harm to the life and liberty of the petitioners, then in such circumstances, the Courts are required to pass necessary directions for their protection.

15. 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 20.12.2022 (Annexure P-3) and to assess the threat



perception to the petitioners and after considering the same, respondent No.2 shall take appropriate action in accordance with law.”

7. In view of the above, the instant criminal writ petition is **disposed of** with a direction to respondent No.2 - Superintendent of Police, Yamuna Nagar, to consider the representation dated 16.12.2024 (Annexure P-3), and assess the threat perception to the petitioners and after considering the same, to take appropriate action, in accordance with the law.
8. However, it is clarified that in case, any criminal case is found to have been registered against the present petitioners, this direction will not debar the police authorities from taking appropriate legal action against them, in accordance with the law.
9. Petition stands **disposed** of accordingly.

(KULDEEP TIWARI)
JUDGE

December 18, 2024
Manpreet

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No