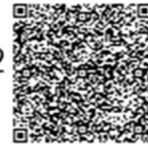


**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

2025:PHHC:075982



(206)

**CRWP-5388-2025
Decided on :12.06.2025**

SANDEEP SINGH AND ANOTHER

.....Petitioner(s)

Versus

STATE OF PUNJAB AND OTHERS

.....Respondent(s)

CORAM : HON'BLE MR.JUSTICE SUMEET GOEL

Present:- Mr. Abhishek Chha, Advocate &
Mr. Rajveer Singh Brar, Advocate for the petitioners.

Mr. Adhiraj Singh, AAG, Punjab.

SUMEET GOEL, JUDGE

1. The substantive prayer made in the petition in hand reads thus:

“It is therefore respectfully prayed that the present petition may kindly be allowed and directions may kindly be issued to the official respondents to protect the life and personal liberty of the petitioners by providing adequate security/police protection to the petitioners and also directing the respondent No.4 to 8 not to interfere in the personal life and liberty of the petitioners or not to harass them in any manner.”

2. Learned counsel for the petitioners, pleading their cause, has argued that the petitioners are well known to each other since long and have also decided to marry each other. The petitioner No.2 left her parental house and joined the company of petitioner No.1 and is in live-in-relationship with petitioner No.1. Learned counsel has further iterated that the petitioners, facing the wrath of the private respondents on account of their live-in-relationship,

have been constrained to approach this Court for protection of their life and liberty by way of petition in hand.

3. Learned State counsel has submitted that one FIR bearing No.29 dated 11.05.2025 has been registered against petitioner No.1 at Police Station Bhadaur, District Barnala, Punjab under Sections 87, 137(2) of BNS, 2023.

4. Before delving into the matter, it would be germane to refer herein to a judgment passed by this Court in **CRWP-3044-2025 (Arshdeep Singh and another Vs. State of Punjab and others)** on 27.03.2025, relevant whereof reads as under:-

*“3. At this juncture, it would be apposite to refer herein to a judgment passed by the Division Bench of this Court titled as **Yash Pal and Another vs. State of Haryana and others, 2024 SCC Online P&H 10239** relevant whereof reads as under:*

“42. A minor in a live-in relationship with an adult or where the live-in relationship is partnered only by minors, thereby the concerned cannot seek the protection from Courts of law. The reason for making the said conclusion becomes firmly embedded in the factum, that a minor belonging to any religious denomination, thus is incompetent to contract. If so, he/she has no capacity even to make choices or to express his/her freedom. Contrarily the freedom to make choices by the minors are ably fettered, by the statutes respectively nomenclatured as [The Hindu Minority and Guardianship Act, 1956](#), and, as nomenclatured as [Guardians and Wards Act, 1890](#).

43. Furthermore, in respect of religious communities other than the Hindus, the Indian Majority Act, thus prescribing the age of majority, thereby becomes the regimen whereby, there is a bar against a minor entering into a contract. The effect thereof, is that, the said disability encumbered upon a minor belonging to a religious denomination other than the Hindus, thus thereby also concomitantly preempting the minor from making any choices, disability whereof also covers the makings of ill choices qua the entering into a live-in relationship either with a minor or with an adult.

44. *If protection is provided to minor partners, who are in a live-in relationship where only one of them is a minor, or where both are minors, thereby the granting of the espoused protection, rather would run counter, vis-a-vis, well statutory crampings of discretions of a minor. Moreover thereby this Court would be avoiding to perform its duty as a parens patriae towards the minors whereby rather this Court is required to be ensuring the welfare of the minor concerned. Therefore, the said solemn duty cast upon Courts of law, naturally requires that the minor concerned, rather than being permitted to be a partner in a live-in relationship either with a minor or with an adult, thus his/her custody is required to be ensured to be retrieved to his/her parents, and, natural guardian. However, in the above endeavour if the Court perceives that there would be an imminent threat to the life of the minor, thereby, the Courts are required to be proceeding to recourse the relevant provisions of the [Juvenile Justice \(Care and Protection of Children\) Act, 2015](#), inasmuch, as directing the minor to till his or her attaining majority, thus staying comfortably at Children Home or at a Nari Niketan, as the case may be.*

3.1 *Ergo, in adjudicating upon a petition for protection wherein minors are involved in a live-in-relationship, the Court must remain mindful of the fact that the paramount consideration remains the welfare and well being of the minor in question. To extend the mantle of protection in such circumstances would, in effect, constitute an implicit approbation of a live-in arrangement involving minors, a proposition repugnant to the established statutory framework designed to shield the young and impressionable from exploitation and moral peril. The law, in its sagacity, has circumscribed the liberties of minors, recognizing their tender age and the consequential susceptibility to undue influence and imprudent choices. By legislative fiat, provisions exist to interdict any form of abuse or impropriety that might arise from the unfettered discretion of those yet to attain the full facilities of maturity. Any judicial imprimatur that indirectly sanctions a minor's involvement in such a relationship would not only be antithetical to the legislative intent but would also undermine the very bulwark erected to preserve the sanctity of youthful innocence. Thus, the Court, while exercising its protective jurisdiction, must tread with measured caution, ensuring that its decree does not, even by implication, countenance that which the law expressly deprecates.”*

5. Reverting to the factual matrix of the case in hand, it is admitted case of the petitioners that the petitioner No.2 is a minor, aged about 17 years. Indubitably, the petitioner No.2 is a minor and, therefore, the petitioners cannot be afforded relief(s) as sought for in the present petition.

6. In view of the above ratiocination, it is mandated as under:

- (i) The petition in hand is dismissed.
- (ii) Senior Superintendent of Police, Barnala is directed to take requisite steps in accordance with law including steps for securing the well being of petitioner No.2.
- (iii) Pending application(s), if any, stand disposed of as well. No order as to costs.

June 12, 2025
Naveen

(SUMEET GOEL)
JUDGE

Whether speaking/reasoned :	Yes/No
Whether Reportable :	Yes/No