IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRWP-9219-2025
Date of decision: 26.08.2025

RESHMI KUMARI AND ANR. **….Petitioners**

Versus

THE STATE OF HARYANA AND ORS. **....Respondents**

CORAM:- HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present:- Mr. Himanshu Chaudhary, Advocate for
Mr. Govind Chauhan, Advocate for the petitioners.

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RUPINDERJIT CHAHAL, J. (ORAL)

1. The present petition has been filed under Article 226 of the Constitution of India for issuance of direction to respondent Nos.2 and 3 to protect life and liberty of the petitioners at the hands of respondent No.4 as they are in a 'live-in relationship' against the wishes of their family members.

2. Learned counsel for the petitioners refers to the averments made in the petition, to state that both the petitioners are major and the date of birth of petitioner No.1 and No.2 are 05.12.2004 and 28.01.2006 respectively. The copies of their *Aadhaar* cards are appended as Annexures P-1 and P-2, respectively. The petitioners are stated to be in a 'live-in relationship', on account of which family members of the petitioners are giving threats to them.

3. Notice of motion.

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4. At the asking of the Court, Mr. Neeraj Sheoran, Sr. DAG Haryana, accepts notice on behalf of respondent Nos.1 to 3 and has no objection in deciding the representation filed on behalf of the petitioners.

5. The issue as to whether marriage is a must for providing protection to a couple in a 'live-in relationship', keeping in view the fundamental rights ensured under Article 21 of the Constitution of India, has been considered by the different Benches of this Court in CRWP-4521-2021 titled as '***Pardeep Singh and another vs. State of Haryana and others'*** decided on 18.05.2021; CRWP-8081-2021 titled as '***Goutam Kumar and another vs. State of Punjab and others'*** decided on 26.08.2021 and also by the Division Bench in LPA 769-2021 titled as '***Ishrat Bano and another vs. State of Punjab and others'*** decided on 03.09.2021 and in LPA 1678-2014 titled as '***Rajwinder Kaur and another vs. State of Punjab and others'*** decided on 09.10.2014.

6. This Court in **Pardeep Singh's** case(supra) while granting protection to the petitioners therein, where they were residing in a live-in relationship, had held as under:

> *"The Constitution of India is the Supreme Law of the land. Right to life and liberty is enshrined therein and is treated as a basic feature. The said right includes the right of an individual to full development of his/her potential in accordance with his/her choice and wish and for such purpose, he/she is entitled to choose a partner of his/her choice and wish and for such purpose, he/she is entitled to choose a partner of his/her choice. The individual also has the right to formalize the relationship with the partner through marriage or to adopt the non-formal approach of a live-in relationship. The concept of live-in-relationships has crept into oursociety from western nations and initially, found acceptance in*

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the metropolitan cities, probably because, individuals felt that formalization of a relationship through marriage was not necessary for complete fulfillment. Education played a great role in development of this concept. Slowly, the concept has percolated into small towns and villages also as is evident from this petition. This shows that social acceptance for live-in-relationships is on the increase. In law, such a relationship is not prohibited nor does it amount to commission of any offence and thus, in my considered view such persons are entitled to equal protection of laws as any other citizen of the country. The law postulates that the life and liberty of every individual is precious and must be protected irrespective of individual views. The Constitutional Courts grant protection to couples, who have married against the wishes of their respective parents. They seek protection of life and liberty from their parents and family members, who disapprove of the alliance. An identical situation exits where the couple has entered into a live-in-relationship. The only difference is that the relationship is not universally accepted. Would that make any difference? In my considered opinion, it would not. The couple fears for their safety from relatives in both situations and not from the society. They are thus, entitled to the same relief. No citizen can be permitted to take law in his own hands in a country governed by Rule of Law. The petition is accordingly, disposed of with direction to respondent No.2 to consider the representation dated 9.5.2021 (Annexure P3) and to provide appropriate protection, if found necessary. It shall be ensured that no harm comes either to the lives or liberty of the petitioners."

7. In **Rajwinder Kaur's** case(supra), the Division Bench has held as under

"We have no reason to doubt that the fundamental right to life and liberty is so sacrosanct and stands at such a high pedestal that it must be protected even in the absence of an incident like solemnization of a valid marriage between the parties. While the appellants might be required to satisfy an appropriate forum regarding the validity of their marriage but even in the absence of such validation, the State is obligated to protect their life and liberty. We, thus, modify the order passed by the learned Single Judge and dispose of this appeal with a direction to the respondent-police-authorities to ensure that no harm is caused by anyone to the life and liberty of the appellants. The police-authorities shall, however, verify the age of the appellants and if any further remedial action is required to be taken on such verification, the same shall be taken forthwith."

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8. Thus, in view of the law laid down in **Pardeep Singh's** case (supra) and **Rajwinder Kaur's** case(supra), this Court is of the view that even in case the petitioners are in a "Live-in Relationship", protection qua the life and liberty of the petitioners being sacrosanct stands at the highest pedestal. Thus, they are entitled to be granted protection of life and liberty.

9. Resultantly, in view of the above prayer made by the petitioners and without commenting upon the aspect of the nature of their relationship or expressing any opinion on merits of the case, the present petition is disposed of with a direction to respondent No.2- Superintendent of Police, Karnal to look into the representation dated 21.08.2025 (Annexure P-3) and if any threat perception is found, to take appropriate action in accordance with law.

10. It is however, made clear that this order shall not preclude the authorities to proceed against the petitioners, in case, they are found involved in any other criminal proceedings, instituted/pending against them if there is some evidence that surfaces regarding their involvement in a cognizable offence, for which they may be required by the investigating agency.

(RUPINDERJIT CHAHAL)
JUDGE

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i) Whether speaking/reasoned? Yes/No

ii) Whether reportable? Yes/No

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