

**CRWP-3939-2026**

#1#

115

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

CRWP-3939-2026**Date of Decision:08.04.2026****SANJAY KUMAR AND ANOTHER****.....Petitioners****Versus****STATE OF PUNJAB AND OTHERS****.....Respondents****CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI**

Present:- Mr. Kuldeep Kumar Sarthi, Advocate
for the Petitioners.

Mr. Harkanwar Jeet Singh, Asstt. A.G., Punjab.

JASJIT SINGH BEDI, J.(ORAL)

The present Criminal Writ Petition has been filed under Article 226 of the Constitution of India for issuance of directions to respondent Nos. 2 to 4 to protect the life and liberty of the petitioners.

2. The petitioner no.1 is stated to have been born on 15.03.1992 and for this purpose, reference has been made to the Aadhaar card (Annexure P-1). The petitioner no.2 is stated to have been born on 14.12.1999 and for the said purpose, reference has been made to the Aadhar Card (Annexure P-2). It is stated that the petitioners are in a “Live in Relationship”. Petitioner No.2 had solemnized marriage with respondent No.5-Vishal Kumar and out of the said wedlock one child was born and petitioner No.1 is unmarried. And as such, the petitioner No.1 is in a ‘live-in-relationship’ with petitioner No.2.

3. Learned counsel for the petitioners has stated that a co-ordinate

**CRWP-3939-2026**

#2#

Bench of this Court in a judgment dated 18.05.2021 passed in CRWP-4521-2021 titled as “***Pardeep Singh and another vs. State of Haryana and others***” has granted protection in a case where the petitioners were living in a “Live in Relationship”.

4. The learned counsel relies upon an order ***dated 03.09.2021 passed in LPA-769-2021 titled as “Ishrat Bano and another vs. State of Punjab and others”*** whereby this Court granted protection to the petitioners therein while observing that a criminal case had been registered against the parties and one of the parties therein was not legally divorced.

5. The learned counsel has further relied upon an order passed by a coordinate Bench of this Court dated ***03.09.2021, in CRWP-7874-2021 titled as “Paramjit Kaur and another vs. State of Punjab and others”*** as per which although the divorce petition filed by petitioner no.2 therein was dismissed, yet this Court had granted protection to the petitioners.

6. The learned Counsel for the petitioners has relied upon an order passed by a Co-ordinate Bench of this Court dated ***02.11.2021 passed in CRWP-10411-2021 Amandeep Kaur & Anr. Vs. State of Punjab & Ors.*** as per which in a case where one of the parties was married and was living in with another person other than her husband, this Court had granted protection to the petitioners.

7. Learned counsel has further submitted that the petitioners have given a representation dated 01.04.2026 (Annexure P-3) to respondent no.2 and they would be satisfied in case respondent no.2 is directed to look into the said representation and after considering threat perception to the

**CRWP-3939-2026**

#3#

petitioners, to take appropriate action. .

8. Notice of motion to respondents Nos.1 to 3 only.

9. On advance notice, Mr. Harkanwar Jeet Singh, Asstt. A.G., Punjab appears and accepts notice on behalf of respondents Nos.1 to 4 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, in accordance with law.

10. This Court has heard learned counsel for the parties.

11. 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, moreso, a major, has right to live his/her life with a person of his/ her choice subject to the laws as applicable. 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.

12. 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 01.04.2026 (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.



CRWP-3939-2026

#4#

13. Accordingly, the petition stands disposed of with abovesaid directions.

14. It is, however, clarified that this order shall not debar the State and/or any person aggrieved from initiating appropriate proceeding against any or both of the petitioners, if any cause of action arises by the petitioners ‘living in’ together or if they are involved in any case.

(JASJIT SINGH BEDI)
JUDGE

08.04.2026

Jitesh

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>