

2026:PHHC:066130



CRWP-5031-2026 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
(148)

CRWP-5031-2026 (O&M)
Date of decision: 29.04.2026

Farukh and another Petitioners

V/s

State of Haryana and ors.Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Waqar Ahmed Khurshid, Advocate
for the petitioners.

Mr. Vipul Sherwal, AAG, Haryana.

JASJIT SINGH BEDI, J. (Oral)

The present Criminal Writ Petition has been filed under Article 226 of the Constitution of India for issuance of appropriate directions to official respondents No.2 and 3 to protect the life and liberty of the petitioners from respondents No.4 to 9.

2. Petitioner no.1 is stated to be born on 05.05.1988. Petitioner no.2 is stated to be born on 01.01.1984 and for the said purpose, reference has been made to Aadhaar cards (Annexures P-1to P-2). It is stated that the petitioners are in a "Live in Relationship" since petitioner no.1/Farukh was married to Fahiman (now expired) and out of that wedlock petitioner No.1 has four children. Whereas, petitioner No.2/Parmina is married to Sajid and out of the wedlock, she has five children.



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

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7. Learned counsel has further submitted that the petitioners have given a representation dated 28.04.2026 (Annexure P-3) to respondent no.2- Superintendent of Police, Palwal 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 petitioners, to take appropriate action.

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

9. On advance notice, Mr. Vipul Sherwal, AAG, Haryana appears and accepts notice on behalf of respondents Nos.1 to 3 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, more so, 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



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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 28.04.2026 (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.

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.

April 29, 2026
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(JASJIT SINGH BEDI)
JUDGE

Whether speaking/reasoned	: Yes/No
Whether reportable	: Yes/No