

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

**CRWP-6423-2023
Date of Decision: 30.06.2023**

Anil Kumar and another

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present : Mr. Chander Shekhar Singhal, Advocate
for the petitioners.

HARSH BUNGER, J. (ORAL)

1. By way of this petition, the petitioners seek protection of their lives and personal liberties on the plea that they have not solemnized their marriage so far and are living in the live-in relationship and are under eminent threats at the hands of respondent No.5.
2. It is submitted that the date of birth of petitioner No.1 is 01.01.1991, whereas, the date of birth of petitioner No.2 is 12.12.1992. It is further submitted that petitioner No.2 is divorced from first marriage and the divorce decree to this respect is placed on record as Annexure P-3.
3. In the context of threat perception at the hands of private respondent No.5, petitioners have allegedly moved representation dated 24.06.2023 (Annexure P-4) to the Senior Superintendent of Police, Panchkula, District Panchkula, wherein, the apprehension to their lives has been expressed, however, it is stated that no action has been taken.
4. Notice of motion at this stage only to the official respondents i.e. respondents No.1 to 4 is being issued.
5. Advance copy of the paper book has already been supplied to learned State counsel by the learned counsel for the petitioners. On asking of the Court, Mr. R.S. Jhund, Addl. A.G., Haryana, who is present in the Court, accepts notice on behalf of State/respondents No.1 to 4.

CRWP-6423-2023

2

6. Given the nature of the order being passed, there is no necessity to seek any response by the official respondents or even to serve the private respondent No.5.

7. Having heard learned counsel for the petitioners, as also the learned State counsel, I am of the considered view that every citizen is entitled to protection/enforcement of fundamental rights as envisaged under Constitution of India. It is the bounden duty of the State to protect the life & liberty of every citizen as enshrined under Article 21 of the Constitution of India. Right to human life is to be treated on much higher pedestal, regardless of a citizen being minor or a major.

8. Since the petitioners are seeking protection *qua* their lives and personal liberties, therefore, it would be appropriate to direct respondent No.2- Senior Superintendent of Police, Panchkula, District Panchkula to verify the contents of the petition and/or representation, *qua* the threat perception of the petitioners and take necessary action, if required.

9. It is clarified that this order shall neither be treated as a stamp of this Court *qua* the status of the parties on the basis of their alleged live-in relationship nor any reflection on the merits of the contentions raised by them in the present petition.

10. This order shall also not be taken to protect the petitioners from legal action for violation of law, if any, committed by them and will have no effect on any civil or criminal action, which could be initiated in the matter in accordance with law.

11. The writ petition is, accordingly, disposed of.

June 30, 2023

Himani

(HARSH BUNGER)

JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No