

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

**CRWP-4213-2026(O&M)
Date of Decision :10.04.2026**

Sarbjit Kaur and Another

....Petitioners

VERSUS

State of Punjab and Others

....Respondents

CORAM : HON'BLE MS. JUSTICE MANDEEP PANNU

Present: Ms. Amrit Kaur, Advocate and
Ms. Harmilon Jot, Advocate for
Mr. Nagesh Kumar, Advocate for the petitioners

MANDEEP PANNU J. (Oral)

1. The present writ petition under Article 226 of the Constitution of India has been filed seeking issuance of a writ in the nature of mandamus directing the official respondents to protect the life and liberty of the petitioners at the hands of private respondents, who are none other than the family members of the petitioners.

2. Learned counsel for the petitioners seeks protection of life and liberty of the petitioners by contending that both of them are major and are living together in a 'live-in relationship' against the wishes of the private respondents and seek appropriate protection from the authorities. He further submits that petitioner No.1 is a widow whereas petitioner No.2 was already married to Sukhwinder Kaur, however, they had separated from each other and obtained

Panchayati Divorce in the year 2020. The petitioners have submitted a representation dated 08.04.2026 (Annexure P-4) for protection of their life and liberty to the Commissioner of Police, District Amritsar, but are still apprehensive about their security in view of the apparent inaction and alleged clout of their family members-respondents.

3. Notice of motion to the official respondents only.

4. On the asking of the Court, Mr. Hardeep Singh Wadhwa, DAG, Punjab, accepts notice on behalf of the official respondents. A copy of the paper-book be handed over to him during the course of the day.

5. 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.*** wherein one of the parties was married, however, was in a 'live-in relationship' with another person other than her husband, this Court had granted protection to the petitioners. He further relies upon decision rendered in CRWP-4521-2021 titled as '**Pardeep Singh and another vs. State of Haryana and others**' decided on 18.05.2021 wherein protection was granted to a couple in a 'live-in relationship'.

6. This Court has made the following observations in **Pardeep Singh's** case(supra) while granting protection to the petitioners who were residing in a live-in relationship:-

"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 our society from western nations and initially, found acceptance in 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 exists 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. Thus, in view of the law laid down in **Pardeep Singh'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

CRWP-4213-2026(O&M)

4

the petitioners being sacrosanct stands at the highest pedestal. Thus, they are entitled to be granted protection of life and liberty.

8. Thus, the Commissioner of Police, District Amritsar is directed to consider the representation dated 08.04.2026 (Annexure P-4) qua threat perception and take appropriate steps to ensure that no harm is caused to the life and liberty of the petitioners.

9. It is nevertheless clarified that this order is issued only on the premise that the petitioners are major as seen from the documents placed on record being their Aadhar Cards as Annexures P-1 and P-2 respectively. This would not *ipso facto* amount to granting any seal of approval on the legality of their relationship. Further, they would not be entitled for any protection against their arrest or continuance of any criminal proceedings, if otherwise, found to be involved in commission of any cognizable offence(s).

10. The petition is disposed of with the above direction.

11. Pending application(s), if any, is/are disposed of.

April 10, 2026

rekha

(MANDEEP PANNU)**JUDGE**

Whether speaking/non-speaking : Yes/No
Whether reportable : Yes/No