

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Writ Petition No. 315/2026

1. Shivani W/o Sonu Singh, D/o Ramraj, Aged About 27 Years, R/o 34, Village Kadiya Behad, Tehsil Ambah, Kadiya Beha, Murena At Present Residence 403, Ashok Nagar, Vatika Road, Near Gyan Vihar Library, Sanganer, Jaipur.
2. Lalit S/o Ramavtar Gupta, Aged About 38 Years, R/o B-480, Jda Colony, Paldi Meena, Agra Road Jaipur, 303604.

-----Petitioners

Versus

1. State of Rajasthan, Through P.p.
2. The Director General Of Police, Jaipur, Rajasthan
3. Deputy Commissioner Of Police, Jaipur (East)
4. Station House Officer, Police Station Jamdoli, Jaipur (East)
5. Sonu Singh S/o Janak Singh, Aged About 30 Years, R/o 34, Village Kadiya Behad, Tehsil Ambah, Kadiya Beha, Murena.

-----Respondents

For Petitioner(s)	:	None present
For Respondent(s)	:	Ms. Manju Dave, P.P.

HON'BLE MR. JUSTICE UMA SHANKER VYAS

Judgment / Order

09/04/2026

No one is present on behalf of the petitioners.

Heard learned counsel for the petitioners as well as the learned Public Prosecutor for the State.

The instant writ petition has been preferred by the petitioners seeking protection of their life and personal liberty.

Upon perusal of the record, it transpires that petitioner No.1 is already married. The issue as to whether a live-in-relationship

between a married and an unmarried person is legally permissible and whether such persons are entitled to protection, has already been considered by a Coordinate Bench of this Court in ***Rashika Khandal & Anr. Vs. State of Rajasthan & Ors., reported in 2021 SCC Online Raj. 4296.***

In the aforesaid judgment, while taking into consideration law laid down by the Hon'ble Supreme Court in ***D. Velusamy Vs. D. Patchaiammal (2010) 10 SCC 469***, it was held that such a relationship is not permissible and consequently, the petitioners are not entitled to seek protection. Relevant paras of the judgment in *Rashika Khandal (supra)* are reproduced hereinbelow:

"2. From perusal of the record, it is revealed that Petitioner No.2 is already married. A live-in-relationship between a married and unmarried person is not permissible.

3. The pre-requisites for a live-in-relationship as held by the Apex Court in "D.Velusamy vs. D. Patchaiammal (2010) 10 SCC 469" is that the couple must hold themselves out to society as being akin to spouses and must be of legal age to marry or qualified to enter into a legal marriage, including being unmarried.

4. Criminal Miscellaneous Petition is accordingly dismissed."

In view of law laid down in the aforesaid judgments of Hon'ble Supreme Court and the Rajasthan High Court, the present writ petition is liable to be dismissed. Consequently, the criminal writ petition is dismissed.

(UMA SHANKER VYAS),J