

CRWP-7222-2023

██████████ AND ANOTHER VS STATE OF HARYANA AND OTHERS

Present: Mr. Ashwani Vaishnav, Advocate for the petitioners.

Mr. Tanuj Sharma, AAG, Haryana.

The present petition has been filed for issuance of a writ in the nature of *mandamus* directing respondent Nos.2 and 3 to protect the life and liberty of the petitioners from the hands of private respondents.

It is a strange case where petitioner No.1 is a married woman and is entangled in a live-in-relationship with petitioner No.2, who is unmarried. The story propounded by the petitioners in the present case does not inspire confidence at all and it seems to be a bundle of lies, as on one hand, petitioner No.1 executed an alleged agreement of live-in-relationship on 17.07.2023 (Annexure P-3) in Rajasthan, that is her matrimonial home and on the same day, she moved a representation (Annexure P-4) to the Superintendent of Police, Hisar-respondent No.2, in which she submitted that one week ago, she disclosed about her relationship with petitioner No.2 to her parents on which they gave her beatings and she was locked in room, also, and in the matrimonial home, she had been given beatings by her husband at night after consuming drinks. It is a strange thing that if in case petitioner No.1 had run away from the matrimonial home a week ago, then why did she go back to Rajasthan to execute the live-in-relationship deed (Annexure P-3).

Interestingly, the petition was filed on 19.07.2023 and the

counsel for the petitioners has vehemently argued that the petitioners will be killed and there is eminent threat to their lives and liberty. He further submits that the petitioners are in love affair for last more than six months and the local police is acting at the behest of respondent Nos.4 to 6, though he could not demonstrate that at what stage and on what date, they approached the local police.

It is a fit case where if the averments taken by the petitioner No.1 are taken to be correct, then a cognizable offence is made out against respondent No.4.

In light of the above, all these issues shall be looked into on the next date of hearing.

Learned State counsel is directed to look into the matter and file a status report as to whether there is any genuine threat perception or not to the petitioners or if the present petition is only a sham and in case, it is found that this petition is an abuse of process of law, the petitioners will be burdened with at least ₹ 50,000/- cost for misusing and abusing the process of law.

Adjourned to **17.08.2023**.

(ALOK JAIN)
JUDGE

July 24, 2023.
sandeep