

Court No. - 36

WWW.LIVELAW.IN

Case :- WRIT - C No. - 12815 of 2021

Petitioner :- Smt. Chhaya And Another

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Kuldeep Singh Chahar, Nitin Kumar

Counsel for Respondent :- C.S.C.

Hon'ble Dr. Kaushal Jayendra Thaker, J.

Hon'ble Dinesh Pathak, J.

1. Heard learned counsel for the petitioners and learned Standing Counsel for the State through video conference.
2. The petitioners are the young couple who wanted to live in relation. It is conveyed that the the said live in relation now converted into marriage as they have entered into wedlock in Arya Samaj Temple during the pendency of this writ petition.
3. The petitioners are before this Court on an apprehension that they would be harassed and would not be permitted to live in peace by private respondents.
4. Though the above issue belongs to Single Judge Bench, it has come before us and we have exercised our jurisdiction and pass the following order.
5. We are not against the live in relation. Yesterday we have rejected a matter seeking protection by a couple who wanted to live in relation. The reasons were that the protection to live in relation was sought for by the petitioners during subsistence of marriage of one of the petitioners.
6. In this case, both the petitioners are at marriageable age. They wanted to live in relation but subsequently they have married each other. Hence, in view of the decision of **Apex Court in Gian Devi v. The Superintendent, Nari Niketan, Delhi and others, (1976) 3 SCC 234; Lata Singh v. State of U.P. and another, (2006) 5 SCC 475; and Bhagwan Dass v. State (NCT of Delhi), (2011) 6 SCC 396** and as per the Government Order dated 31.8.2019, the police shall grant them protection after verifying all the documents.
7. With these observations, this petition is partly allowed.

Order Date :- 18.6.2021

DKS