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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(CRL) 665/2026

KARTIK & ANR.

.....Petitioner

Through: Mr. Dilip Kumar Rana, Mr. Lokesh
Sharma, Ms. Gauranshi Rawal and
Mr. Sumit Panwar, Advs.

versus

STATE OF NCT OF DELHI & ORS.

.....Respondents

Through: Mr. Yasir Rauf Ansari, ASC for
State.

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

24.02.2026

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1. By virtue of the present petition under *Article 226* of the Constitution of India read with *Section 528* of the Bharatiya Nagarik Suraksha Sanhita, 2023, the petitioners seek issuance of a writ of mandamus directing respondent nos.1 to 3 to provide immediate and adequate protection to the petitioners against harassment/ threats/ harm of any manner by respondent no.4, father of petitioner no.2.

2. Learned counsel for the petitioners submits that the petitioners are consenting adults known to and involved with each other since and from the year 2024, who are now residing together and *qua* which they have also entered into a Live-in Relationship Agreement on 17.02.2026. He further submits that, being unhappy thereby, respondent no.4, father of petitioner no.2 has been constantly threatening the petitioners with violence, due to which they are apprehensive of grave harm being caused to them. As per him, the fundamental right of the petitioners under *Article 21* of the Constitution of India is under jeopardy, and as such, they are entitled for protection.



3. Issue notice.
4. Learned ASC for the State accepts notice.
5. Since both petitioners are born in the years 2006 and 2007 respectively, they are consenting adults who have all rights to choose and reside with their respective partner(s) as per their individual choice/ desire with no interference from anyone. Both petitioners herein are in a Live-In Relationship and in fact have voluntarily executed a Live-in Relationship Agreement on 17.02.2026 *inter se* them to give it a recognition.
6. Further, as held by the Hon'ble Supreme Court in ***Nandakumar & Anr. vs. State of Kerala & Ors.:2018:INSC:383*** irrespective of the parties not having entered into a wedlock, as majors they have the unfettered right to reside with each other as they desire, be it in a Live-In Relationship. The same now has due sanctity in the eyes of law, and has even been recognised by the legislature under provisions such as the Protection of Women from Domestic Violence Act, 2005.
7. So the Live-In Relationship which the petitioners are in, is in a way akin to marriage, though not legally. And at the end of the day, marriage in India is recognised if it is *inter se* two consenting individuals, irrespective of the caste, creed, colour, religion and/ or faith. In fact, the Constitution of India guarantees fundamental rights in the form of *Article 19* thereof, which enshrines their respective right to freedom and in the form of *Article 21* which enshrines their respective right to life and liberty. As held by the Hon'ble Supreme Court in ***Shafin Jahan vs. Asokan K.M.:(2018) 16 SCC 368***, curtailment of the same by societal morals and prejudices amounts to deprivation of one's very individualistic identity.
8. In view of the aforesaid, even though the petitioners are not legally



married and are in a Live-in relationship, however, since they are both major and consenting adults who have willingly and with utmost responsibility chosen to enter into a relationship with each other, and for which they have even executed a Live-in Relationship Agreement on 17.02.2026 recording their desire(s), intent(s) and action(s), no one, be it their parents, including respondent no.4, i.e. father of petitioner nos.2/ relatives/ friends, have any right and/ or authority to cause any hinderance and/ or interference of any kind to them, much less threaten their life and/ or liberty.

9. Accordingly, the present petition is allowed and the petitioners shall be free to contact either the SHO, PS: Daryaganj (+8750870421) or the Beat Constable (Constable Babudhan, +9982951168,) PS: Daryaganj, if, as and when the need so arises, who shall provide all necessary assistance to the petitioners in accordance with law.

10. It is made clear that if the petitioners choose to reside within the jurisdiction of any other police station, they will apprise about the same and give the complete details including the address to the SHO of the concerned P.S. within a period of *three days* from shifting.

11. Needless to say, the concerned SHO and/ or Beat Constable of the concerned P.S. shall extend the aforesaid protection to the petitioners.

12. Accordingly, the present petition alongwith the pending application is disposed of in the aforesaid terms.

SAURABH BANERJEE, J.

FEBRUARY 24, 2026/bh