

CNR No: PHHC011258412026  
2026:PHHC:105149



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IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRWP-9197-2026

Sxxxx and another

....Petitioners

versus

State of Punjab and others

....Respondents

Date of decision: August 03, 2026  
Date of Uploading: August 03, 2026

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Harjinder Singh, Advocate and  
Mr. Paras, Advocate for the petitioners.

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SUMEET GOEL, J. (ORAL)

The substantive prayer made in the petition in hand reads  
thus:

*“In view of the facts and circumstance, it is respectfully prayed that directions may kindly be issued to respondents No.2 and 3 to protect the life and personal liberty of the petitioners by providing adequate security/Police protection to the petitioners and also directing the respondents No.4 to 7 not to interfere in the personal lives and liberty of the petitioners and further directing respondents No.2 and 3 not to allow/let respondents No.4 to 7 or anybody else to interfere with the liberty and lives of the petitioners or to harass the petitioners in any manner against the wishes of the petitioner or to cause any detriment to the petitioners in any manner and for issuance of any other appropriate order or direction to which this Hon’ble Court may deem fit and proper in the facts and circumstances of the case as made out herein above, in the interest of justice and equity.”*

2. Learned counsel for the petitioners, pleading their cause, has argued that the petitioners are well known to each other since long and intend to get married upon petitioner No.1 attaining the age of majority as she is a minor, *whereas*, petitioner No.2 is major. Learned counsel has

further submitted that when the petitioners brought this fact to the knowledge of their families, then parents of petitioner No.1, who are respondents No.4 and 5, forced petitioner No.1 to get married to the son of sister of respondent No.7. It has been submitted that when petitioner No.1 refused to the same, then her parents gave her beatings and also threatened to kill her. Due to this apprehension, petitioner No.1 left her parents' house on 22.07.2026 and joined the company of petitioner No.2. It has also been submitted that on 22.07.2026, respondent No.6 sent a voice note threatening to kill both the petitioners. Learned counsel has submitted that petitioner No.2 is working as a driver and earning Rs.16,000/- per month; petitioner No.1 is a household lady. Learned counsel has further iterated that the petitioners have faced the wrath of their families as they had approached and requested the private respondents, through their common relatives and respectable to not harass or disturb them, but the private respondents want to eliminate the petitioners; therefore, protection of their life and liberty at the hands of private respondent(s) has been entreated for.

3. At this juncture, it would be apposite to refer herein to a judgment passed by the Division Bench of this Court titled as **Yash Pal and Another vs. State of Haryana and others, 2024 SCC OnLine P&H 10239**, relevant whereof reads as under:

*“42. A minor in a live-in relationship with an adult or where the live-in relationship is partnered only by minors, thereby the concerned cannot seek the protection from Courts of law. The reason for making the said conclusion becomes firmly embedded in the factum, that a minor belonging to any religious denomination, thus is incompetent to contract. If so, he/she has no capacity even to make choices or to express his/her freedom. Contrarily the freedom to make choices by the minors are ably fettered, by the statutes respectively nomenclatured as The Hindu Minority and Guardianship Act, 1956, and, as nomenclatured as Guardians and Wards Act, 1890.*

43. *Furthermore, in respect of religious communities other than the Hindus, the Indian Majority Act, thus prescribing the age of majority, thereby becomes the regimen whereby, there is a bar against a minor entering into a contract. The effect thereof, is that, the said disability encumbered upon a minor belonging to a religious denomination other than the Hindus, thus thereby also concomitantly preempting the minor from making any choices, disability whereof also covers the makings of ill choices qua the entering into a live-in relationship either with a minor or with an adult.*

44. *If protection is provided to minor partners, who are in a live-in relationship where only one of them is a minor, or where both are minors, thereby the granting of the espoused protection, rather would run counter, vis-a-vis, well statutory crampings of discretions of a minor. Moreover thereby this Court would be avoiding to perform its duty as a parens patriae towards the minors whereby rather this Court is required to be ensuring the welfare of the minor concerned. Therefore, the said solemn duty cast upon Courts of law, naturally requires that the minor concerned, rather than being permitted to be a partner in a live-in relationship either with a minor or with an adult, thus his/her custody is required to be ensured to be retrieved to his/her parents, and, natural guardian. However, in the above endeavour if the Court perceives that there would be an imminent threat to the life of the minor, thereby, the Courts are required to be proceeding to recourse the relevant provisions of the Juvenile Justice (Care and Protection of Children) Act, 2015, inasmuch, as directing the minor to till his or her attaining majority, thus staying comfortably at Children Home or at a Nari Niketan, as the case may be.”*

3.1. *Ergo*, in adjudicating upon a petition for protection wherein minors are involved in a live-in-relationship, the Court must remain mindful of the fact that the paramount consideration remains the welfare and well being of the minor in question. To extend the mantle of protection in such circumstances would, in effect, constitute an implicit approbation of a live-in arrangement involving minors, a proposition repugnant to the established statutory framework designed to shield the young and impressionable from exploitation and moral peril. The law, in its sagacity, has circumscribed the liberties of minors, recognizing their tender age and the consequential susceptibility to undue influence and imprudent choices. By legislative fiat, provisions exist to interdict any form of abuse or impropriety that might arise from the unfettered discretion of those yet to attain the full facilities of maturity. Any judicial imprimatur that indirectly sanctions a minor’s involvement in such a

relationship would not only be antithetical to the legislative intent but would also undermine the very bulwark erected to preserve the sanctity of youthful innocence. Thus, the Court, while exercising its protective jurisdiction, must treat with measured caution, ensuring that its decree does not, even by implication, countenance that which the law expressly deprecates.

4. Reverting to the factual matrix of the case in hand, it is admitted case of the petitioners that petitioner No.1 was born on 11.08.2009 and she is aged about 16 years, 11 months and 19 days at the time of institution of the petition in hand. Indubitably, petitioner No.1 is a minor and, therefore, the petitioners cannot be afforded relief(s) as sought for in the petition in hand.

5. In view of the above ratiocination, it is ordained as under:

- (i) The petition in hand is **dismissed**;
- (ii) The Commissioner of Police, District Ludhiana, is directed to take requisite steps, in accordance with law.

Registry of this Court is directed to send, forthwith, a complete copy of the paper-book of the present petition alongwith the instant order to the Commissioner of Police, District Ludhiana, Punjab.

- (iii) Pending application(s), if any, shall also stands disposed of.

No order as to costs.

(SUMEET GOEL)  
JUDGE

August 03, 2026

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No