

2026:PHHC:086900



**IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH**

CRWP-6747-2026

Date of Decision- 05.06.2026

LISHA AND ANOTHER

.....PETITIONER

VERSUS

STATE OF PUNJAB AND ORS

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Ms. Komal Sidhu, Advocate
for the petitioners.

Mr. Rajiv Verma, Addl. AG, Punjab

SANDEEP MOUDGIL, J

Jurisdiction of this court has been invoked under Article 226/227 of Constitution of India for issuance of writ in the nature of Mandamus directing Respondents no.2 and 3 not to harass the petitioners at the behest of respondents no. 4 to 7 and let them live separately in live-in-relationship.

2. It is contended by the learned counsel for the petitioners that the petitioners are major being more than 18 years of age. Both the petitioners like and love each other and want to solemnize the marriage with each other and are for the present living together in 'live-in-relationship'. But, respondents No.4 to 7 are interfering in their life and harassing them and are pressurizing the petitioner No.1 to

leave the company of petitioner No.2 failing which petitioner No.2 will be implicated in false case. The petitioners are unmarried and want to live together till they perform marriage and as such, have sent a representation to the Superintendent of Police, Patiala, on 01.06.2026, which is at Annexure P-3.

3. Heard learned counsel for the petitioner and gone through the record.

4. India is a country with a diverse set of principles traditions, rituals, and beliefs that serve as essential legal sources. Marriage is a holy relationship with legal consequences and great social esteem. Our country, with its deep cultural origins, places a significant emphasis on morals and ethical reasoning. However, as time has passed, the society started to adopt Western culture, which is vastly different from Indian culture. A portion of India appears to have adopted Modern lifestyle, namely, the live- in relationship.

5. Under Article 21 of the Indian Constitution each and every individual has a right to live with peace, dignity and honour. Moreover, every person has a right to have his reputation preserved. It is a jus in rem, a right good against all in the world. Article 21 of the Constitution of India places Fundamental Rights on a much higher pedestal. It must be preserved since it is sacred under the Constitutional Scheme. The concept of right to life and personal liberty guaranteed under Article 21 of the Constitution of India includes the right to live with dignity and the petitioners by running away from their parental home is not only bringing bad name to the family but also is violating the right of the parents to live with dignity and honour. Further dependence can be made upon the Apex Court judgment in “**National Legal Services Authority vs. Union of India**”, (2014) 5 SCC 438, wherein it has been held as under:-

“106. The basic principle of the dignity and freedom of the individual is common to all nations, particularly those having democratic set-up.

Democracy requires us to respect and develop the free spirit of human being which is responsible for all progress in human history. Democracy is also a method by which we attempt to raise the living standard of the people and to give opportunities to every person to develop his/her personality. It is founded on peaceful co-existence and cooperative living. If democracy is based on the recognition of the individuality and dignity of man, as a fortiori we have to recognise the right of a human being to choose his sex/gender identity which is integral in his/her personality and is one of the most basic aspect of self-determination, dignity and freedom. In fact, there is a growing recognition that the true measure of development of a nation is not economic growth; it is human dignity.”

6. The pre-requisites for a live-in-relationship as held by the Apex Court in "***D.Velusamy vs. D.Patchaiamm***" (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.

7. Further the same view of this Court has been reiterated by various other Benches wherein the Court has refused to grant the protection to the couples living in live-in-relationship on the ground that if such protection as claimed, is granted the entire social fabric of the society would get disturbed.

8. Perusal of the case file reveals that the petitioners are living together in live-in-relationship and want to marry each other but respondents No.4 to 7 are interfering in their life and liberty. It is also averred in the petition that the petitioner No.2 is yet to attain the marriageable age and will marry petitioner No.1 thereafter.

9. Consequently, in view of the above discussions and reading of the above clearly indicates that to attach legitimate sanctity to such a relation, certain conditions are required to be fulfilled by such partners. Merely because the two persons are living together for few days, their claim of live-in relationship based

upon bald averment may not be enough to hold that they are truly in live-in-relationship and directing the police to grant protection to them may indirectly give our assent to such illicit relationship, and, therefore, the orders cannot be passed under Article 21 of the Constitution of India which guarantees freedom of life to all citizens, but such freedom has to be within the ambit of law.

10. Present petition fails and is hereby ordered to be dismissed.

05.06.2026
anuradha

(SANDEEP MOUDGIL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable :Yes/No