

**Court No. - 85****Case :-** WRIT - C No. - 2723 of 2023**Petitioner :-** Suneeta And Another**Respondent :-** State Of U P And 3 Others**Counsel for Petitioner :-** Brajesh Kumar Singh**Counsel for Respondent :-** C.S.C.**Hon'ble Mrs. Renu Agarwal,J.**

Heard Shri Brajesh Kumar Singh, learned counsel for the petitioners and learned Standing Counsel for the State-respondents.

By this petition, the petitioners have prayed for following reliefs:-

"(i) issue, a writ, order or direction in the nature of mandamus commanding and directing the respondents concerned police authority to provide police protection for their peaceful live-in-relationship life of the petitioners for the respondent no.4.

(ii) issue a writ, order or direction in the nature of mandamus directing the respondent no.4 for not interfering in peaceful live-in-relationship life of the petitioners."

Learned counsel for the petitioners submits that petitioner no.1 is a major girl aged about 37 years and according to the Aadhar Card her date of birth is 01.01.01986. The copy of the Aadhar Card is annexed as Annexure No.1 to this writ petition. It is further submitted that respondent no.4 is husband of the petitioner no.1. Petitioner no.1 Suneeta is not married to petitioner no.2 but she is voluntarily live-in-relationship with him since 06.01.2015 because of apathetic and torturing behaviour of her husband i.e. respondent no.4. As she is living voluntarily with him, respondent no.4 is trying to endanger their peaceful lives. Hence, they may be protected. He further submits that till date, no complaint/F.I.R. has been lodged against the petitioners nor they are wanted in any case including the present cause of action and they have no criminal antecedents. He further placed reliance in the case of Priyanka Singh And Another vs. State of U.P. And 5 Others passed in Writ-C No.39669 of 2022.

On the contrary, learned Standing Counsel for the State-respondents submits that this type of relationship cannot be supported by the Court and further submits that the Co-ordinate Bench of this Court has already disapproved such act in **Writ-C**

No. 14443 of 2021, Smt. Aneeta and another Vs. State of U.P. and others by holding thus.

"We hold that we are not against granting protection to people who want to live together irrespective of the fact as to which community, caste or sex they belong to. If Devendra Kumar, who is legally wedded husband of petitioner no.1 has barged into the house of petitioner no.2, it is in the realm of criminal dispute for which she can move to the criminal machinery available in the country. But none law abiding citizen who is already married under the Hindu Marriage Act can seek protection of this Court for illicit relationship, which is not within the purview of social fabric of this country. The sanctity of marriage pre-supposes divorce. If she has any difference with her husband, she has first to move for getting separated from her spouse as per law applicable to the community if Hindu Law does not apply to her."

In view of the above discussion this Court does not deem it proper to permit the parties to such illegality as tomorrow petitioners may convey that we have sanctified their illicit relations. Live-in-relationship cannot be at the cost of social fabric of this Country. Directing the police to grant protection to them may indirectly give our assent to such illicit relations.

Hence, this petition is dismissed.

However, it is clarified that this Court is not against live-in-relationship but is against illegal relations.

Order Date :- 25.4.2023

Zafar/Sachin