

**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**

S.B. Criminal Miscellaneous (Petition) No. 3023/2021

1. Rashika Khandal D/o Shri Ram Manohar Sharma, Aged About 29 Years, (D.o.b 08.02.1992), R/o A-58, Triveni Nagar, Gopalpura Bypass, Durgapura, District Jaipur (Raj).
2. Hemant Singh Rathore S/o Shri Kailash Singh Rathore, Aged About 31 Years, (D.o.b 07.06.1990), R/o 68-A, Balaji Vihar-26, Benar Road, Boytavala, District Jaipur (Raj).

----Petitioners

1. State Of Rajasthan, Through Public Prosecutor.
2. The Director General Of Police, Rajasthan, Jaipur.
3. The Superintendent Of Police, District Jaipur (Raj).
4. The Station House Officer, Police Station Kardhani, District Jaipur.
5. Ram Manohar Sharma S/o Unknown, Resident Of A-58, Triveni Nagar, Gopalpura Bypass, Durgapura, District Jaipur (Raj).
6. Smt. Sobha Sharma W/o Shri Ram Manohar Sharma., Resident Of A-58, Triveni Nagar, Gopalpura Bypass, Durgapura, District Jaipur (Raj).

----Respondents

For Petitioner(s)	:	Mr. Subhash Sharma through VC
For Respondent(s)	:	Mr. Mangal Singh Saini, PP

HON'BLE MR. JUSTICE PANKAJ BHANDARI

Order

07/05/2021

1. Petitioners have preferred this Criminal Miscellaneous Petition seeking protection of life and liberty.



2. From perusal of the record, it is revealed that Petitioner No.2 is already married. A live-in-relationship between a married and unmarried person is not permissible.

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

4. Criminal Miscellaneous Petition is accordingly dismissed.

5. Stay application stands disposed.

(PANKAJ BHANDARI),J

