HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Writ Petition No. 2152/2024

1. Nagama D/o Mo. Anwar, Aged About 18 Years, R/o Ward No. 15, Mohalla Raigaro Ka, Jhunjhunu, District Jhunjhunu.
2. Aslam Khan S/o Chuttan Khan, Aged About 25 Years, R/o Naya Tila, Tonk, District Tonk (Rajasthan).

----Petitioners

Versus

1. State Of Rajasthan, Through Public Prosecutor.
2. The Director General Of Police, Rajasthan, Jaipur.
3. The Superintendent Of Police, Tonk.
4. The Station House Officer, Police Station Jhirana (Peeplu), District Tonk.
5. Mohd. Anwar S/o Haji Abdul Shakur, Residing At Ward No. 15, Mohalla Raigaro Ka, Jhunjhunu, District Jhunjhunu.
6. Mohd. Sukiyan S/o Mohd. Anwar, Residing At Ward No. 15, Mohalla Raigaro Ka, Jhunjhunu, District Jhunjhunu.
7. Mohd. Aslam S/o Mohd. Haji Gaffar, Residing At Ward No. 15, Mohalla Raigaro Ka, Jhunjhunu, District Jhunjhunu.
8. Mohd. Sharif S/o Mohd. Shokat, Residing At Ward No. 15, Mohalla Raigaro Ka, Jhunjhunu, District Jhunjhunu.
9. Rukshar Bano W/o Mohd. Anwar., Residing At Ward No. 15, Mohalla Raigaro Ka, Jhunjhunu, District Jhunjhunu.
10. Mohd. Anis S/o Mohd. Shokat, Residing At Ward No. 15, Mohalla Raigaro Ka, Jhunjhunu, District Jhunjhunu.
11. Mohd. Aasif S/o Mohd. Shokat, Residing At Ward No. 15, Mohalla Raigaro Ka, Jhunjhunu, District Jhunjhunu.
12. Mohd. Shokat S/o Haji Abdul Shakur, Residing At Ward No. 15, Mohalla Raigaro Ka, Jhunjhunu, District Jhunjhunu.
13. Mohd. Imran S/o Haji Ramjan, Residing At Ward No. 15, Mohalla Raigaro Ka, Jhunjhunu, District Jhunjhunu.

----Respondents

For Petitioner(s) : Mr.Ravindra Kumar Paliwal

For Respondent(s) : Mr.Vivek Choudhary, PP

JUSTICE ANOOP KUMAR DHAND

Order

06/12/2024

1. The petitoners have preferred this petition for issuance of necessary directions to the official-respondents to provide adequate security and protection to them on the ground that they are facing grave threat to their life and liberty at the hands of private respondent(s).

2. Learned counsel for the petitioners submits that Article 21 of the Constitution of India provides for right to life and personal liberty under the ambit of fundamental rights and any threat to the same amounts to violation of the same.

3. Counsel for the petitioners submits that prior to approaching this Court the petitioners have already submitted representations before the concerned Station House Officer and the Nodal Officer pursuant to the orders passed by the Co-ordinate Bench of this Court in the case of **Suman Meena vs. State of Rajasthan (S.B. Criminal Writ Petition No.792/2024).** Counsel submits that appropriate directions be issued in favour of the petitioners.

4. It is well settled legal position as expounded by the Hon'ble Supreme Court in the cases of **Lata Singh Vs. State of UP,** reported in **AIR 2006 SC 2522, S. Khushboo Vs. Kanniammal,** reported in **(2010) 5 SCC 600, Indra Sarma Vs. VKV Sarma** reported in **(2013) 15 SCC 755** and **Shafin Jahan Vs. Asokan KM** reported in **(2018) 16 SCC 368** that the life and personal liberty of

the individuals has to be protected except according to procedure established by law, as mandated by Article 21 of the Constitution of India. Further, as per Section 29 of the Rajasthan Police Act, 2007 every police officer is duty bound to protect the life and liberty of the citizens.

5. Considering the arguments put forward by the learned counsel for the petitioners and looking to the fact that the petitioners have already submitted appropriate representation/application seeking protection before the Nodal Officer as well as concerned Station House Officer, it is expected from the officers concerned to look into the matter in terms of the directions issued by this Court in the case of **Suman Meena** (supra) and ensure that after analyzing the threat perceptions, if necessitated, may pass necessary orders to provide adequate security and protection to the petitioners.

6. It is made clear that any observation in this order shall not affect any criminal and civil proceeding initiated against the petitioners.

7. With the aforesaid observations, the instant criminal writ petition stands disposed of. The stay application and all pending applications, if any, also stand disposed of.

(ANOOP KUMAR DHAND),J

Aayush Sharma /416