HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Criminal Writ Petition No. 132/2024

1. Suman Devi D/o Shri Girdhar Gopal, Aged About 30 Years, R/o Rathodi Kunwa, Tyagi Market, Nagaur, Rajasthan.
2. Gautam Das S/o Jagdish Vaishnav, Aged About 28 Years, R/o Golasani, Barli, Jodhpur, Rajasthan.

----Petitioners

Versus

1. State Of Rajasthan, Through The Secretary, Department Of Home Affairs, Government Of Rajasthan, Jaipur.
2. The Commissioner Of Police, Dist. Jodhpur, Rajasthan.
3. The Superintendent Of Police, Dist. Nagaur, Rajasthan.
4. The Station House Officer, P.S. Nagaur, Rajasthan.
5. The Station House Officer, P.S. Rajiv Gandhi Nagar, Jodhpur, Rajasthan.
6. Shri Girdhar Gopal S/o Mahaveer Ji, R/o Rathodi Kunwa, Tyagi Market, Nagaur, Rajasthan.
7. Madan Lal S/o Chagan Lal Ji, R/o Likhmasar, Ranasir, Nagaur, Rajasthan.

----Respondents

For Petitioner(s) : Mr. S.S. Khatri
For Respondent(s) : Mr. Gaurav Singh, Public Prosecutor

JUSTICE DINESH MEHTA

Order

22/01/2024

1. The petitioners have preferred the present writ petition under Articles 226 and 227 of the Constitution of India for issuance of necessary directions to the respondent authorities to provide adequate security and protection to them, as they are

facing grave threat to their life and liberty at the hands of private respondent(s).

2. Petitioners, present in person, submit that they are above 18 years of age and are in a live-in-relationship. But such relationship is not acceptable to their family members/society and they have threatened them of dire consequences.

3. They pray that adequate police protection be provided to them.

4. Though no specific instance or imminent threat has been pleaded but considering the submissions made by the petitioners and having regard to the facts and circumstances of the case, this Court is of the opinion that if the petitioners are having any apprehension or threat perception about their life and liberty from their relatives, they may move appropriate representation before the Commissioner of Police, Jodhpur/the Superintendent of Police, Nagaur indicating their concern with the name(s) of probable assailants.

5. If any such representation is moved by the petitioners, the Commissioner of Police, Jodhpur/the Superintendent of Police, Nagaur shall consider the same and after analysing the factual situation pass necessary orders or take action to ward off any untoward incident.

6. It is hereby clarified that this order may not be construed to be a validation of petitioners' live-in relationship and proof of their age. Any observation made herein shall not affect any criminal or civil proceedings initiated against the petitioners, at the instance of their relatives.

7. With these observations, this criminal writ petition is disposed of.

(DINESH MEHTA),J

636-Ramesh/-