

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

S.B. Criminal Miscellaneous (Petition) No. 5821/2021

1. Smt. Sharda Kumari Daughter Of Shri Bhagirath Ranwa, Wife Of Shri Om Prakash, Aged About 21 Years, Resident Of V.p.o Kirdoli Choti Dhahar Ka Bas Tehsil Laxmangar Dist Sikar Rajasthan. (At Present Resident Of Village Binjasi, Tehsil Dhod District Sikar Raj.)
2. Om Prakash, Of Shri Shrwan Kumar, Aged About 22 Years, Resident Of Village Binjasi, Tehsil Dhod District Sikar Raj.)

----Petitioners

Versus

1. State Of Rajasthan, Through PP
2. The Director General Of Police, Jaipur.
3. Superintendent Of Police, Sikar, District Sikar (Raj.)
4. The Station House Officer, Police Station Nechawa, District Sikar (Raj.)
5. The Station House Officer, Police Station Losal, District Sikar (Raj.)
6. Mahveer Son Of Shri Nandlal, V.p.o Kirdoli Choti Dhahar Ka Bas Tehsil Laxmangar Dist Sikar
7. Bhagirath Ranwa Son Shri Nandlal, V.p.o Kirdoli Choti Dhahar Ka Bas Tehsil Laxmangar Dist Sikar
8. Mukesh Kumar Son Of Sarwan Kumar, V.p.o Kirdoli Choti Dhahar Ka Bas Tehsil Laxmangar Dist Sikar
9. Sarwan Ranwa Son Of Bharuram Ranwa, V.p.o Kirdoli Choti Dhahar Ka Bas Tehsil Laxmangar Dist Sikar
10. Bhageerath Mal Son Of Jaguramranwa, V.p.o Kirdoli Choti Dhahar Ka Bas Tehsil Laxmangar Dist Sikar
11. Balbir Ranwa Son Of Nand Lal Ranwa, V.p.o Kirdoli Choti Dhahar Ka Bas Tehsil Laxmangar Dist Sikar
12. Parthvi Singh Son Of Magji Singh, V.p.o Kirdoli Choti Dhahar Ka Bas Tehsil Laxmangar Dist Sikar
13. Suresh Bugaliya S/o Chatra Ram Bugaliya, Resident Of Losal Sikar
14. Om Parkash Bhamu Son Of Jeevan Bhamu, Resident Of Anookhu Sikar

-----Respondents

For Petitioner(s) : Mr. Gajender Sharma
For Respondent(s) : Mr. Riyasat Ali, PP

HON'BLE MR. JUSTICE SATISH KUMAR SHARMA

Order

30/09/2021

1. This Petition has been filed under Section 482 Cr.P.C. for protection of life and personal liberty of the petitioners.
2. Heard learned counsel for both the sides and perused the material made available on record.
3. Learned counsel for the petitioners submits that both the petitioners are major, they were unmarried earlier and now they have performed marriage with each other, but the private respondents and others are not happy with their marriage and they are threatening the petitioners. Given that their life and liberty is in danger, police protection may be granted to them.
4. Learned Public Prosecutor submits that appropriate directions may be issued.
5. In view of the order intended to be passed in the petition, being non-prejudicial to the private respondents, no notices are required against them.
6. Heard. Considered.
7. It is well settled legal position as expounded by the Hon'ble Supreme Court of India in **Lata Singh Vs. State of UP [AIR 2006 SC 2522]**, **S. Khushboo Vs. Kanniammal [(2010) 5 SCC 600]**, **Indra Sarma Vs. VKV Sarma [(2013) 15 SCC 755]** and **Shafin Jahan vs. Asokan KM & Ors. [(2018) 16 SCC 368]** that the society cannot determine how individuals live their

lives, especially when they are major, irrespective of the fact that the relation between two major individuals may be termed as unsocial. Thus, 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 Rajasthan Police Act, 2007 every police officer is duty bound to protect the life and liberty of the citizens.

8. Therefore, in light of above legal position and having regard to the above submissions but without expressing any opinion on the genuineness or correctness of the allegations made by the petitioners, this petition is disposed of with the direction that learned counsel for the petitioners shall send a copy of the petition along with its annexures to the Station House Officer of concerned Police Station through e-mail, and on receipt of the same, the Station House Officer concerned shall treat it as a complaint and after due enquiry, he shall take necessary preventive measures and other steps to ensure safety and security of the petitioners in accordance with law.

9. However, as a precautionary note, it is made clear that this order shall not come in the way of civil/criminal case, if any, and such case would take its own course as per law.

(SATISH KUMAR SHARMA),J