

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

S.B. Criminal Writ Petition No. 1012/2022

1. Sushila Kumari D/o Mangla Ram Bajroliya, W/o Mahendra Kumar Nitharwal, Aged About 22 Years, R/o Ward No. 7, Charanwas Tuli Ka, Roopgarh, Sikar, At Present R/o Village Basri Kalan, Ralawata, Tehsil Danta Ramgarh, Sikar, (Raj.).
2. Mahendra Kumar Nitharwal S/o Gopal, Aged About 27 Years, R/o Village Basri Kalan, Ralawata, Tehsil Danta Ramgarh, Sikar, (Raj.).

----Petitioners

Versus

1. State Of Rajasthan, Through P.p.
2. Director General Of Police, Police Head Quarter, Lal Kothi, Jaipur (Raj.).
3. The Superintendent Of Police, Sikar, Dist-Sikar, Rajasthan.
4. The Station House Officer, Police Station Jeen Mata, Sikar (Raj.)
5. Mangla Ram Bajroliya S/o Bodu Ram Bajroliya, R/o Ward No. 7, Charanwas Tuli Ka, Roopgarh, Sikar, Rajasthan.
6. Nathu Ram S/o Bodu Ram Bajroliya, R/o Ward No. 7, Charanwas Tuli Ka, Roopgarh, Sikar, Rajasthan.
7. Gopal S/o Balu Ram Bajroliya, R/o Ward No. 7, Charanwas Tuli Ka, Roopgarh, Sikar, Rajasthan.

----Respondents

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For Petitioner(s) : Mr. Anil Kumar

For Respondent(s) : Mr. G.S. Rathore, GA cum AAG

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**HON'BLE MR. JUSTICE ANOOP KUMAR DHAND**

**Order**

**22/12/2022**

The petitioners 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 No.5 to 7.

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.

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.

After hearing learned counsel for the parties as well as perusing the record of the case, since the petitioners apprehend threat to their right of life and liberty, this Court disposes of the present petition with the direction to the petitioners to appear before the Superintendent of Police, District Sikar, Rajasthan along with appropriate representation regarding their grievance. The concerned Superintendent of Police shall in turn hear the grievance of the petitioners, and after analyzing the threat perceptions, if

necessitated, may pass necessary orders to provide adequate security and protection to the petitioners.

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

The instant criminal writ petition stands disposed of.

Stay application also stands disposed of.

(ANOOP KUMAR DHAND),J

KuD/187



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