

**IN THE HIGH COURT OF HIMACHAL PRADESH,  
SHIMLA**

**CWP No. 20422/2025**

**Decided on: 20.04.2026**

Fatimi Bibi & Anr.

...Petitioners

**Versus**

State of H.P. & Ors.

....Respondents

.....  
**Coram**

**Ms. Justice Jyotsna Rewal Dua, Judge.**

**Whether approved for reporting?<sup>1</sup>**

**For the petitioner:**

**Mr. Hirdaya Ram, Advocate.**

**For the respondents:**

**Mr. L.N. Sharma, Additional  
Advocate General, for  
respondents No.1 to 5.**

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**Jyotsna Rewal Dua, J.**

Though the office reports that service of notice upon respondents No.6 to 14 is awaited, learned counsel for the petitioner submits that the matter can be disposed of at this stage. Accordingly, the matter has been taken up for hearing and decision.

**2.** This writ petition has been filed for the grant of following substantive reliefs: -

*"i) Issue a writ of mandamus directing the respondents No.2 to 5 to provide the security/police protection to the petitioners as well as to the family members of petitioner No.2 to save their lives, so that private respondent No.6 to 14 would not kill/hurt/harass them and may not damage their property in any manner.*

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<sup>1</sup> Whether reporters of the local papers may be allowed to see the judgment? yes

(ii) *Issue a writ of mandamus the respondent No.1 to 5 not to implicate the petitioners and the family of the petitioner No.2 in false case in retaliation by the respondent No.6 to 14.”*

3. When this matter was taken up on 23.12.2025, following order was passed: -

*“CWP No. 20422 of 2025*

*Notice. Mr. Pushpender Jaswal, learned Additional Advocate General, accepts notice on behalf of respondents No. 1 to 5. Issue separate notice to respondents No. 6 to 14, on taking steps within one week, returnable for 12.03.2026.*

*CMP No. 31710 of 2025*

*This application is disposed of with the direction that the petitioners shall approach the SHO concerned and taking into consideration the threat perception, appropriate police protection be granted to them but the expenses thereof shall have to be borne by the applicants/petitioners.....”*

Pursuant to the above, the Superintendent of Police, District Sirmour at Nahan- respondent No.4, has filed his reply, *inter alia*, stating therein that, on receipt of the complaint of the petitioners regarding alleged threats by the private respondents, the matter was verified. The statements/submissions of the petitioners and their family members were also recorded. Preventive proceedings under Sections 126/169 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) were initiated against the concerned persons, and the matter was forwarded to the Sub Divisional Magistrate, Nahan, for further action; That the petitioners

subsequently informed that they did not wish to avail security on payment basis; That, during investigation, petitioner No.1 appeared before the police authorities and got her statement recorded to the effect that she had married petitioner No.2 of her own free will; That the role of the police authorities is limited to maintaining law & order and ensuring that no breach of peace occurs.

The reply-affidavit reiterates that respondents No.1 to 5 are under a constitutional obligation to maintain law & order and also to protect the life and liberty of every citizen. They shall continue to take appropriate steps, in accordance with law, to ensure that no harm is caused to the petitioners.

In view of the reply filed by the respondents, it shall be open to the petitioners to represent to the respondents/concerned authority, including the Superintendent of Police, as and when the need arises, and it shall be for the appropriate authority to take action, in accordance with law, as may be just and proper in the facts and circumstances of the case.

With the above directions, the instant petition stands disposed of. Pending miscellaneous applications, if any, shall also stand disposed of.

**Jyotsna Rewal Dua**  
**Judge**

**20<sup>th</sup> April, 2026**<sub>(rohit)</sub>