

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Criminal Writ Petition No. 582/2026

1. Shwati Pandey D/o Ashish Pandey, Aged About 32 Years, House No. 273/1, Talab Para Ward No. 17, Gram Panchayatshivnandanpur Alisa Omkaranbhara, Post Office Bishrampur, Distsurajpur Chhattisgarh. At Present Residing At 634 Mandia House, Bapu Nagar Vistar, Pali, District Pali
2. Vikram Choudhary S/o Mangilal Choudhary, Aged About 37 Years, 634 Mandia House, Bapu Nagar Vistar, Pali, Districtpali.

----Petitioners

Versus

1. State Of Rajasthan, Through The Secretary, Departmentof Home Affairs, Govt. Of Rajasthan, Jaipur
2. Superintendent Of Police, District Pali Rajasthan
3. Superintendent Of Police, District Surajpur,chhattisgarh
4. Sho, Police Station Kotwali District Pali
5. Sho, Police Station Bishampur, District Surajpur,chhattisgarh.
6. Ashish Pandey S/o Ramji Pandey, House No. 273/1, Talab Para Ward No. 17,gram Panchayat Shivnandanpur Alisa Omkaranbhara, Postoffice Bishrampur, Dist Surajpur Chhattisgarh
7. Gagan Pandey Alias Pooja Pandey W/o Ashish Pandey, House No. 273/1, Talab Para Ward No. 17,gram Panchayat Shivnandanpur Alisa Omkaranbhara, Postoffice Bishrampur, Dist Surajpur Chhattisgarh
8. Rishikesh Pandey S/o Ashish Pandey, House No. 273/1, Talab Para Ward No. 17,gram Panchayat Shivnandanpur Alisa Omkaranbhara, Postoffice Bishrampur, Dist Surajpur Chhattisgarh
9. Santosh Pandey S/o Ramji Pandey, House No. 273/1, Talab Para Ward No. 17,gram Panchayat Shivnandanpur Alisa Omkaranbhara, Postoffice Bishrampur, Dist Surajpur Chhattisgarh

----Respondents

For Petitioner(s) : Shri Shreekant Rajpurohit
For Respondent(s) : Shri Surendra Bishnoi

HON'BLE MR. JUSTICE FARJAND ALI

Order

09/02/2026

1. The present Criminal Writ Petition has been preferred by the petitioners under Article 226 of the Constitution of India seeking issuance of appropriate directions to the official respondents for providing them protection, on the ground that they apprehend threat to their life and personal liberty at the hands of the private respondents.
2. As per the pleadings, the petitioners claim to be majors and of marriageable age and assert that they have solemnized their marriage on 02.02.2026 at Arya Samaj. It is further stated that they are residing together as husband and wife and that the private respondents are opposed to the said marriage and are allegedly extending threats, giving rise to an apprehension to the life and personal liberty of the petitioners.
3. Upon perusal of the record, this Court is of the considered view that the right to life and personal liberty is a fundamental right guaranteed to every individual under the Constitution, and the same cannot be compromised under any circumstances. No person can be deprived of his or her life or personal liberty except in accordance with the procedure established by law and apprehension relating to life and personal liberty, if asserted, deserves to be examined by the competent authority. The assessment of threat perception and the necessity of protection

are matters falling within the domain of the police authorities, who are duty bound to ensure maintenance of law and order and to prevent any person from taking the law into his or her own hands.

4. Accordingly, the writ petition is allowed with a direction that the petitioners shall appear before the Commissioner/Superintendent of Police concerned within a period of ten days from today and submit a representation clearly indicating the persons from whom they apprehend threat or harm. Upon such appearance, the Commissioner/Superintendent of Police concerned shall afford an opportunity of hearing to the petitioners and, if deemed necessary, to the concerned private respondents, examine the grievance, deliberate over the issue and calibrate the threat perception and, if the circumstances so warrant, pass appropriate orders in accordance with law so as to ensure that no harm is caused to the petitioners by the private respondents by taking law into their own hands.

5. It is clarified that this Court has not recorded any definitive finding with regard to the legitimacy of the relationship claimed by the petitioners, the validity of the alleged marriage or the genuineness of the documents relied upon by them, and all such aspects shall remain open for enquiry and investigation by the competent authority, in accordance with law. It is further made clear that any observation made herein shall not affect any civil or criminal proceedings, if any, pending or to be initiated in accordance with law.

6. Pending applications, if any, also stand disposed of.

(FARJAND ALI),J

