

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

S.B. Criminal Writ Petition No. 604/2026

1. Samita Kanwar D/o Chandan Singh, Aged About 22 Years,
Resident Of Sankra, Sankda, District Jaisalmer
2. Jitendra Singh S/o Narayan Singh, Aged About 22 Years,
Resident Of Ganv Bhatner Nagar Posar, Sekhlala, District
Jodhpur

-----Petitioners

Versus

1. State Of Rajasthan, Through Chief Secretary, Ministry Of
Home Affairs Jaipur Rajasthan
2. The Superintendent Of Police, Phalodi
3. The Station House Officer, Police Station Phalodi District
Phalodi
4. Chandan Singh S/o Jawahar Singh, Resident Of Sankra,
Sankda, District Jaisalmer
5. Dungar Singh S/o Tej Singh, Resident Of Sankra, Sankda,
District Jaisalmer
6. Gulab Singh, Resident Of Sankra Sankda, District
Jaisalmer
7. Shaitan Singh S/o Khet Singh, Resident Of Village Sayan,
District Phalodi

-----Respondents

For Petitioner(s) : Mr. Kishan Lal

For Respondent(s) : Mr. SS Rathore, PP

HON'BLE MR. JUSTICE FARJAND ALI

Order

10/02/2026

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 are living together in live-in-relationship and have executed an agreement to this effect on 08.02.2026. It is further stated that the private respondents are opposed to the said relationship 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 concerned Superintendent of Police / Commissioner of Police 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 concerned Superintendent of Police / Commissioner of Police 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 live-in-relationship agreement 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