

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

S.B. Criminal Writ Petition No. 714/2026

Sayari W/o Lakma Ram, Aged About 48 Years, Sesali Road, vadla
Wara Arat, Bali, Tehsil Bali, Distt. Pali

-----Petitioner

Versus

1. State Of Rajasthan, The State Of Rajasthan Through The Secretary Department Of Home Affairs Govt. Of Raj., Jaipur.
2. Inspector General Of Police, Jodhpur Range, Jodhpur
3. Superintendent Of Police, Pali, Dist. Pali.
4. The Station House Officer Police, Police Station Bali, District-Pali.
5. Lalit Jain S/o Kevalchand Ji, Surajpol, Pali, District-Pali.
6. Sushil Jain S/o Kevalchand Ji, Surajpol, Pali, District-Pali.
7. Chhagararam S/o Rajaji, Radawa, district-Pali.
8. Punararam Choudhary S/o Bhavrut Ji, Dativada, District-Pali
9. Prakaram Choudhary S/o Punaji, Bali, District-Pali.
10. Shankaram S/o Jethaji, Bali (Shri Sela), district-Pali

-----Respondents

For Petitioner(s)	:	Mr. KP Raj Singh
For Respondent(s)	:	Mr. SR Choudhary, PP

HON'BLE MR. JUSTICE FARJAND ALI

Order

23/02/2026

1 The petitioner has preferred this writ petition under Articles 226 of the Constitution of India for issuance of necessary directions to the official respondents to provide adequate security and protection to the petitioners on the ground that she is facing

grave threat of life and liberty at the hands of their family members and other relatives.

2. Learned counsel for the petitioner submits that Article 21 of the Constitution of India provides for right to life, limb and personal liberty under the ambit of fundamental rights and any threat to the same amounts to violation of the same. Being the citizens of independent India, the petitioner has right to reside with honour and dignity. Therefore, she has sought the protection from the hands of private respondents and they also sought direction to respondents to provide them protection. The private respondents are harassing her family despite they have repaid the entire borrowed amount with the interest.

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 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