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

S.B. Criminal Writ Petition No. 839/2026

1. Nisha Kunwar D/o Ramesh Dan, Aged About 20 Years, R/o- Charna Vas, Punava, Aamlari, Sirohi At Present - Housing Board Colony, Ward No. 03,sumerpur, Pali.
2. Roop Dan, Aged About 25 Years, S/o Padar Dan, Aged About 25 Years, R/ohousing Board Colony, Ward No. 03, Sumerpur, Pali.

----Petitioners

Versus

1. State Of Rajasthan, Through Chief Secretary,department Of Home Affairs, Jaipur.
2. Superintendent Of Police, Pali.
3. Superintendent Of Police, Sirohi.
4. Station House Officer, Police Station Kalandri, District Sirohi.
5. Station House Officer, Police Station Sumerpur,district Pali.
6. Ramesh Dan Charan S/o Jethu Dan, R/o- Ward No.03, Sumerpur, Pali.
7. Radha Kunwar W/o Ramesh Dan Charan, R/o-R/oward No. 03, Sumerpur, Pali.
8. Khetu Dan Chara S/o Ramesh Dan Charan, R/o- Ward No. 03, Sumerpur, Pali.
9. Chhotu Dan Charan S/o Bhanwar Dan, R/o- Wardno. 03, Sumerpur, Pali.
10. Ratan Kunwar W/o Bhanwar Dan, R/o- Ward No. 03,sumerpur, Pali.
11. Praveena Kunwar W/o Suraj Dan, R/o- Ward No. 03,sumerpur, Pali.
12. Pushapa Kunwar W/o Shaktidan Charan, R/o Talanpur Nagaur Samerpur ,pali.

----Respondents

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For Petitioner(s) : Mr. Ramesh Borana
For Respondent(s) : Mr. Surendra Bishnoi, AGA

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**HON'BLE MR. JUSTICE FARJAND ALI**

**Order**

**24/02/2026**

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 23.02.2026 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**

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