

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

S.B. Criminal Writ Petition No. 838/2026

1. Shama Musalman D/o Shekh Sharif, Aged About 23 Years, Barouda Bijoura, Village Bijaura Umariya Chaube, Bamhoda, District Jabalpur, Madhya Pradesh
2. Rakesh S/o Pura Ram, Aged About 28 Years, Matabhar Road, Ward No. 32, Makrana, District Deedwana Kuchaman

----Petitioners

Versus

1. State Of Rajasthan, Through Secretary, Home Department, Government Of Rajasthan
2. The Superintendent Of Police, Deedwana-Kuchaman
3. The Deputy Superintendent Of Police, Makrana, District Deedwana Kuchaman
4. The Sho, P.s. Makrana, District Deedwana Kuchaman
5. Shekh Sharif S/o Shekh Rehmat, Aged About 60 Years, Village Bijoura, Tehsil Panagar, District Jablpur, Madhya Pradesh
6. Firozahan W/o Shekh Sharif, Aged About 55 Years, Village Bijoura, Tehsil Panagar, District Jablpur, Madhya Pradesh
7. Sameer Khan S/o Shekh Sharif, Aged About 25 Years, Village Bijoura, Tehsil Panagar, District Jablpur, Madhya Pradesh
8. Habib Khan S/o Unknown, Aged About 45 Years, Village Bijoura, Tehsil Panagar, District Jablpur, Madhya Pradesh

----Respondents

For Petitioner(s) : Mr. Devam Jain

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

HON'BLE MR. JUSTICE FARJAND ALI

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 are living together in live-in-relationship and have executed an agreement to this effect on 17.02.2026. 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 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 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