

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Writ Petition No. 248/2026

1. Poonam Jain Daughter Of Shri Babu Lal Jain, Aged About 38 Years, Resident Of Plot No. 156, Ganesh Nagar Vistar, Kalwar Road, Jhotwara, Jaipur, At Present Resident Of Plot No. 19-20, Bal Vihar Colony, Joshi Marg, Kalwar Road, Jhotwara, Jaipur.
2. Rahul Jain @ Vasim Ahmed Son Of Shri Hamid, Aged About 38 Years, Resident Of Ward No. 4, Kithor Rural, Merrut, U.p., At Present Resident Of Plot No. 19-20, Bal Vihar Colony, Joshi Marg, Kalwar Road, Jhotwara, Jaipur.

----Petitioners

Versus

1. State Of Rajasthan, Through P.p.
2. The Director General Of Police, Police Head Quarter, Lal Kothi, Jaipur (Raj.)
3. Dy. Commissioner Of Police, Jaipur West Jaipur (Raj.)
4. S.h.o. Police Station Jhotwara, District Jaipur West (Raj.)
5. Rajeev Jain Son Of Govind Sharan Sharma, Resident Of Plot No. S-1-155, Ganesh Vatika, Niwaru Road, Jhotwara, Jaipur (Raj.)

----Respondents

For Petitioner(s)	:	Mr. Sunil Kumar Saini
For Respondent(s)	:	Mr. Vivek Choudhary, Dy.G.A.

HON'BLE MR. JUSTICE BHUWAN GOYAL

Order

26/02/2026

1. Defects pointed out by the Registry are overruled.
2. This Criminal Writ Petition has been filed by the petitioners under Article 226 of the Constitution of India read with Rule 315(1)(H) of the Rajasthan High Court Rules.

3. Learned counsel for the petitioners submits that the petitioners are major and both are living together in a relationship. They have executed an agreement to live in relationship, which has been annexed with the petition. He further submits that the petitioner(s) have given a representation to the Nodal Officer and informed about their relationship, but respondent no.5 is not happy with their relationship and they are receiving continuous threat from the private respondents.

4. Learned counsel for the petitioners has placed reliance upon the judgment passed by the Hon'ble Supreme Court in the case of **Lata Singh Versus State of UP & Anr.** reported in AIR 2006 SC 2522; **S. Khushboo Versus Kanniammal & Ors.** reported in (2010) 5 SCC 600, **Indra Sarma Versus V.K.V. Sarma** reported in (2013) 15 SCC 755, **Shafin Jahan Versus Ashokan KM & Ors.** reported in (2018) 16 SCC 368, the order passed by the Coordinate Bench of this Court in the case of **Suman Meena Versus State of Rajasthan** (S.B. Criminal Writ Petition No. 792/2024) decided on 3.3.2025 and the order dated 1.12.2025 passed by the Coordinate Bench of this Court in S.B. Criminal Writ Petition No. 1537/2025 (**Priya Suman & Anr. Versus State of Rajasthan & Ors.**) and submits that life and personal liberty of the petitioners has to be protected, except according to the procedure established by law, as mandated by Article 21 of the Constitution of India.

5. Learned Dy. Government Advocate has opposed the same.

6. Both the petitioners are present in person today in the court. Their signatures have been obtained on the court's order sheet and they have been duly identified by their counsel.

7. Heard learned counsel for the parties and considered the material on record.

8. In view of the law propounded by the Hon'ble Apex Court in the case of Lata Singh (supra) and looking to the fact that the petitioners have already approached the Nodal Officer by way of filing a representation, it is expected from the Nodal Officer to decide the representation so submitted by them in accordance with law and ensure that after analyzing the threat perceptions, if necessitated, he/she may pass necessary orders to provide adequate security and protection to the petitioners.

9. With the aforesaid observations, the instant criminal writ petition stands disposed of. The stay application and all pending applications, if any, also stand disposed of.

10. However, it is made clear that whatever has been observed by this Court in the present order is only for the purpose of disposal of the instant criminal writ petition and the same shall not affect any criminal and civil proceedings initiated, if any, against the petitioners.

(BHUWAN GOYAL),J