

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Writ Petition No. 700/2026

1. Nargis D/o Mohd. Nizam, Aged About 20 Years, R/o Ward No. 43, Ambedkar Nagar, Behind Mugal Manjil, Sikar At Present Village Sangasi, Jhunjhunu (Raj.)
2. Vijendra Kumar Son Of Shri Hari Singh, Aged About 23 Years, R/o Village Sangasi, Jhunjhunu (Raj.).

----Petitioners

Versus

1. State Of Rajasthan, Through Secretary, Home Department, Govt. Of Rajasthan, Secretariat, Jaipur.
2. Superintendent Of Police, Jhunjhunu.
3. Superintendent Of Police, Sikar.
4. S.H.O., Police Station Mukandgarh, District Jhunjhunu.
5. S.H.O., Police Station Kotwali Sikar, District Sikar.
6. Salma Bano W/o Shri Mohammad Nizam (Mother Of The Petitioner No. 1), R/o Ward No. 43, Ambedkar Nagar, Behind Mugal Manjil, Sikar.
7. Toufik Son Of Shri Mohammad Nizam (Brother Of The Petitioner No. 1), R/o Ward No. 43, Ambedkar Nagar, Behind Mugal Manjil, Sikar.
8. Saddam Son Of Shri Mohammad Nizam (Brother Of The Petitioner No. 1), R/o Ward No. 43, Ambedkar Nagar, Behind Mugal Manjil, Sikar.

----Respondents

For Petitioner(s)	:	Mr. Happy Sharma
For Respondent(s)	:	Mr. Manvendra Singh Shekhawat, P.P. with Mr. Shubham Saini

HON'BLE MR. JUSTICE ANUROOP SINGHI

Order

08/05/2026

1. Defects as pointed out by the Registry are over-ruled.

2. Both the petitioners who are present in-person before this Court are major and in support of their date of birth, copy of Aadhaar card of petitioner No.1 is available on record as Annexure-1, and copy of Secondary Examination Marksheet as well as Aadhaar Card of petitioner No.2 are available on record as Annexure-2.

3. Petitioners have also been duly identified by their counsel.

4. By virtue of the present criminal writ petition filed under Article 226 of the Constitution of India, the petitioners have sought protection of their life and personal liberty from private respondents No.6 to 8, as they are apprehending danger to their life and liberty from the said private respondents.

5. Learned counsel for petitioners submits that the petitioners are living in a 'Live-in' relationship and in this regard they have even executed an agreement dated 16.04.2026 (Annexure-3), but the private respondents and others are not happy with their relationship and the petitioners are receiving continuous threats.

6. Learned counsel for petitioners submits that both the petitioners are unmarried, major and are mature enough to take independent decision of their life.

7. Learned counsel for the petitioners further submits that once the petitioners have willingly and with utmost responsibility have chosen to enter into a relationship with each other, the private respondents have no right to harass, much less threaten the petitioners and take law in their hands and given the fact that the life and liberty of the petitioners is in danger, police protection deserves to be granted to the petitioners and hence, protection is being sought.

8. Learned Public Prosecutor submits that appropriate directions be issued.

9. As the order intended to be passed herein is non-prejudicial to the private respondents, no notices are required to be issued to them.

10. It is a well settled legal position as expounded by the Hon'ble Supreme Court of India in ***Lata Singh Vs. State of UP*** reported in ***(2006) 5 SCC 475***, ***S. Khushboo Vs. Kanniammal & Anr.*** reported in ***(2010) 5 SCC 600***, ***Indra Sarma Vs. VKV Sarma*** reported in ***(2013) 15 SCC 755*** and ***Shafin Jahan vs. Asokan KM & Ors.*** reported in ***(2018) 16 SCC 368*** that the society cannot determine how individuals live their lives, especially when they are major, irrespective of the fact that the relation between two major individuals may be termed as immoral and unsocial. Thus, life and personal liberty of the individuals has to be protected except according to procedure established by law, as mandated by Article 21 of the Constitution of India. Further, as per Section 29 of Rajasthan Police Act, 2007, every police officer is duty bound to protect the life and liberty of the citizens.

11. In view of the above legal position and factual averments, after perusing record and considering the submissions made, as the petitioners apprehend threat to their life and liberty, this Court is of the considered view that the petitioners have every right to seek protection of their life, limb and liberty.

12. Accordingly, this Court is inclined to dispose of the present criminal writ petition with the directions to the petitioners to file an appropriate application seeking protection before respondent No.5 – Station House Officer, Police Station Kotwali Sikar, District

Sikar, Rajasthan, who is directed to duly consider grievance of the petitioners and after analyzing the threat perceptions, will take all possible preventive measures and other steps as required to ensure safety and security of the petitioners and that no harm is caused to them.

13. With the said directions, the present criminal writ petition and pending application(s), if any, stands disposed of.

14. However, as a precautionary note, it is clarified that this order shall not affect any civil and/or criminal proceedings, if any, and the same shall proceed in accordance with law.

(ANUROOP SINGHI),J