

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous (Petition) No.4466/2019

1. Nitisha Jain W/o Shri Akash Jethi D/o Shri Ashok Kumar Jain, Aged About 27 Years, R/o Near Jodla Mandir, Chomukha Bazar, Ward No.36, Baran, Raj., At Present Near Old Bus Stand, Aklera District Jhalawar.
2. Akash Jethi S/o Shri Kamlesh Jethi, Aged About 26 Years, R/o Near Old Bus Stand, Aklera, District Jhalawar.

----Petitioners

Versus

1. State Of Rajasthan, Through Secretary, Home Department, Govt. Of Rajasthan, Secretariat, Jaipur.
2. Superintendent Of Police, Jhalawar.
3. Sho Police Station Aklera, District Jhalawar.
4. Sho Police Station Kotwali Baran, District Baran.
5. Ashok Kumar Jain S/o Late Shri Kastur Chand Jain, R/o Near Jodla Mandir, Chomukha Bazar, Ward No.36, Baran, Raj.
6. Pawan Jain S/o Late Shri Kastur Chand Jain, R/o Near Jodla Mandir, Chomukha Bazar, Ward No.36, Baran, Raj.
7. Hemant Jain S/o Late Shri Kastur Chand Jain, R/o Near Jodla Mandir, Chomukha Bazar, Ward No.36, Baran, Raj.
8. Gental Jain S/o Late Shri Kastur Chand Jain, R/o Near Jodla Mandir, Chomukha Bazar, Ward No.36, Baran, Raj.

----Respondents

For Petitioner(s)	:	Mr. Sameer Sharma
For Respondent(s)	:	Mr. Jitendra Singh Rathore, PP Ms. Deepti Jindal for Mr. Amit Jindal

JUSTICE ANOOP KUMAR DHAND

Order

23/04/2026

1. The petitoners have preferred this petition for issuance of necessary directions to the official-respondents to provide adequate security and protection to them on the ground that they are facing

grave threat to their life and liberty at the hands of private respondent(s).

2. Article 21 of the Constitution of India provides for right to life and personal liberty under the ambit of fundamental rights and any threat to the same amounts to violation of the same.

3. The contents of the petition indicate that both the petitioners are of major age and they have solemnized marriage with each other on 05.07.2019, and their marriage has been registered by the competent authority as well. A certificate in this regard has also been issued and life and liberty of the petitioners are stated to be at stake at the hands of the private respondents and prior to approaching this Court, the petitioners had already submitted representations before the Nodal Officer/Superintendent of Police, Jaipur and the concerned Station House Officer, pursuant to the orders passed by the Co-ordinate Bench of this Court in the case of **Suman Meena vs. State of Rajasthan** while deciding **S.B. Criminal Writ Petition No.792/2024**, but no heed has been paid, hence, under the compelling circumstances, the petitioners have approached this Court.

4. It is well settled legal position as expounded by the Hon'ble Supreme Court in the cases of **Lata Singh Vs. State of UP**, reported in **AIR 2006 SC 2522**, **S. Khushboo Vs. Kanniammal**, reported in **(2010) 5 SCC 600**, **Indra Sarma Vs. VKV Sarma** reported in **(2013) 15 SCC 755** and **Shafin Jahan Vs. Asokan KM** reported in **(2018) 16 SCC 368** that the 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 the Rajasthan Police Act, 2007 every police officer is duty bound to protect the life and liberty of the citizens.

5. Looking to the fact that the petitioners have already submitted appropriate representation/application seeking protection before the Nodal Officer as well as concerned Station House Officer, it is expected from the officers concerned to look into the matter in terms of the directions issued by this Court in the case of **Suman Meena** (supra) and ensure that after analyzing the threat perceptions, if necessitated, may pass necessary orders to provide adequate security and protection to the petitioners.

6. It is made clear that any observation in this order shall not affect any criminal and civil proceeding initiated against the petitioners.

7. With the aforesaid observations, the instant criminal writ petition stands disposed of. All pending applications, if any, also stand disposed of.

(ANOOP KUMAR DHAND),J