

**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**

S.B. Criminal Miscellaneous (Petition) No. 3410/2021

1. Chhoti Meena D/o Shri Ram Sahay Meena, Aged About 21 Years, R/o Talai Ki Dhani, Mundiya District Tonk At Present R/o Tonk P.s. Kotwali Tonk District Tonk (Raj)
2. Jeetram Meena Son Of Banwari Lal Meena, Aged About 23 Years, R/o Village Rahim Nagar, Post Borkhandikalan, Tehsil Peeplu, District Tonk At Present Tonk, P.s. Kotwali Tonk, District Tonk

-----Petitioners

Versus

1. State Of Rajasthan, Through Secretary, Home Department, Govt. Of Rajasthan, Secretariat, Jaipur
2. Superintendent Of Police, Tonk
3. S.h.o P.s. Niwai, Tonk
4. Gulab Devi Wife Of Ram Sahay Meena, R/o Talai Ki Dhani, Mundiya District Tonk (Raj)
5. Hemraj Meena Son Of Ram Sahay, R/o Talai Ki Dhani, Mundiya District Tonk (Raj)
6. Ramkesh Meena Son Of Ram Sahay Meena, R/o Talai Ki Dhani, Mundiya District Tonk (Raj)
7. Pappulal Meena Son Of Badri Lal Meena, R/o Village Dattwas Bolpura, Tehsil Niwai District Tonk Rajasthan
8. Badri All Meena Son Of Unknown, R/o Village Dattwas Bolpura, Tehsil Niwai District Tonk Rajasthan
9. Hansraj Meena Son Of Badri Lal Meena, R/o Village Dattwas Bolpura, Tehsil Niwai District Tonk Rajasthan
10. Mahadev Meena Son Of Unknown, R/o Bada Kheda, Jaipur Rajasthan

-----Respondents

For Petitioner(s) : Mr. Syed Shahid Hasan through VC
For Respondent(s) : Mr. Mangal Singh Saini, P.P.

HON'BLE MR. JUSTICE MAHENDAR KUMAR GOYAL (V.J.)

Order

21/06/2021

This petition has been filed under Section 482 of CrPC for protection of life and personal liberty of the petitioners.

Learned counsel for the petitioners submits that both the petitioners, being major, have solemnized marriage with each other on 07.06.2021 as per prevalent customs and rites; but, the private respondents are not happy with their marriage and they are threatening the petitioners. Given that their life and liberty is in danger, police protection may be granted to them.

Learned Public Prosecutor submits that appropriate directions may be issued.

Heard. Considered.

In view of the order intended to be passed in the petition, being non-prejudicial to the private respondents, no notices are required against them.

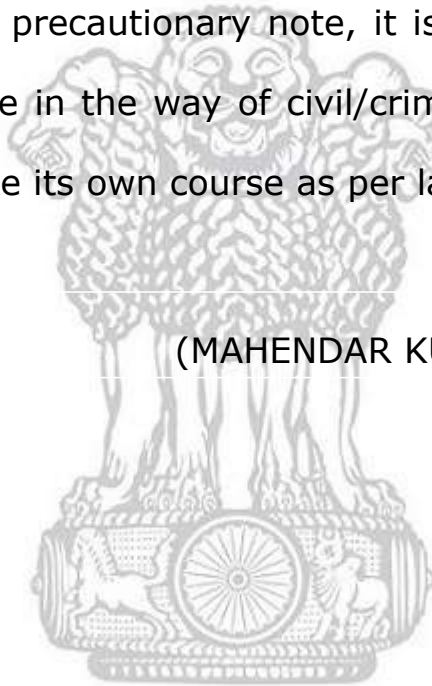
It is well settled legal position as expounded by the Hon'ble Supreme Court of India in **Lata Singh Vs. State of UP [AIR 2006 SC 2522]**, **S. Khushboo Vs. Kanniammal [(2010) 5 SCC 600]**, **Indra Sarma Vs. VKV Sarma [(2013) 15 SCC 755]** and **Shafin Jahan vs. Asokan KM & Ors. [(2018) 16 SCC 368]** 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 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.

Therefore, in light of above legal position and having regard to the above submissions but without expressing any opinion on the genuineness or correctness of the allegations made by the petitioners, this petition is disposed of with the direction that learned counsel for the petitioners shall send a copy of the petition along with its annexures to the Station House Officer of concerned Police Station through registered post/e-mail, and on receipt of the same, the Station House Officer concerned shall treat it as a complaint and after due enquiry, he shall take necessary preventive measures and other steps to ensure safety and security of the petitioners in accordance with law.

However, as a precautionary note, it is made clear that this order shall not come in the way of civil/criminal case, if any, and such case would take its own course as per law.

(MAHENDAR KUMAR GOYAL (V.J.)),J

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