



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

S.B. Criminal Miscellaneous (Petition) No. 4797/2022

1. Pooja Gurjar
2. Pankaj Kumar
3. State Of Rajasthan, Through Secretary, Department Of Home Affairs, And Justice, Secretariat Rajasthan, Jaipur.
4. Superintendent Of Police, Jhunjhunu.
5. Station House Officer, Police Station Udaipurwati, District Jhunjhunu.
6. Sardararam Gurjar
7. Bhagirathmal
8. Kishanlal
9. Sumer
10. Ashok
11. Sunita
12. Krishna
13. Suman Devi
14. Girwar Singh

----Petitioners

Versus

राजस्थान उच्च न्यायालय





13. Gurudayal

14. Prakash

----Respondents

For Petitioner(s) : Mr. Bharat Yadav, Adv.

For Respondent(s) : Mr. Ghanshyam Singh Rathore, GA
cum AAG

HON'BLE MR. JUSTICE SAMEER JAIN (V.J.)

Order

21/06/2022

1. The petitioners had filed the crl. misc. petition seeking police protection at their residence and place of work. According to the petitioners, they got married on 22.03.2022. However, this marriage was not approved by their relatives and respondents No. 4 to 14 and fearing them, they had filed the said petition.

2. The State has a duty to protect the life and liberty of the citizens. The petitioners as adult citizens have a right to choose their partners. When the question of life and liberty comes, we would prefer to err on safer side.

3. It is well settled legal position as expounded by the *Hon'ble Supreme Court of India in Lata Singh Vs. State of UP [AIR2006 SC 2522], S. Khushboo Vs. Kanniammal [(2010) 5SCC 600], Indra Sarma Vs. VKV Sarma [(2013) 15 SCC 755] and Shafin Jahan Vs. Asokan KM [(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 the Rajasthan Police Act, 2007 every police officer is duty bound to protect the life and liberty of the citizens.

4. Under the circumstances, the petitioners would approach the

Commissioner of Police/Superintendent of Police with a copy of this order. It would be the duty of the said authority to ensure the safety and security of the petitioners, for which he may take such suitable measures as found necessary in accordance with law.

5. With these observations, the petition is disposed of. It is further observed that if the petitioner's income is more than taxable income under the Income Tax Act, 1961, the Superintendent of Police after considering the financial aspect may charge appropriate financial charges from them as specified in law if financial hardship is not the case.

6. The present Criminal Miscellaneous (Petition) is allowed in above terms. All pending applications are also disposed of.

सत्यमेव जयते (SAMEER JAIN (V.J.)), J