

(2022) 08 RAJ CK 0057

In the Rajasthan High Court

Case No : S.B. Criminal Miscellaneous (Petition.) No. 5537 Of 2022

Gouri And Others

APPELLANT

Vs

State Of Rajasthan And Others

RESPONDENT

Date of Decision : 27-08-2022

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 482

Citation : (2022) 08 RAJ CK 0057

Hon'ble Judges : Dinesh Mehta, J

Bench : Single Bench

Advocate : Bhawani Singh, Pritam Joshi, S.K.Bhati

Final Decision : Disposed Of

Judgement

Dinesh Mehta, J

1. The petitioners have preferred the present misc. petition under Section 482 of the Code of Criminal Procedure, 1973 for issuance of necessary directions to the respondent authorities to provide adequate security and protection to them, as they are facing grave threat of life and liberty at the hands of private respondent(s).

2. Learned counsel for the petitioners submits that the petitioners are of major age and they solemnized their marriage of their own free will. However, their family members are not agreeable to their marriage and have threatened them of dire consequences.

3. He prays that adequate police protection be provided to them.

4. Though no specific instance or imminent threat has been pleaded but considering the submissions made by learned counsel for the petitioners and having regard to the facts and circumstances of the case, this Court is of the opinion that if the petitioners are having any apprehension or threat perception about their life and liberty from their relatives, they may move appropriate

representation before the Commissioner of Police, Jodhpur indicating their concern with the name(s) of probable assailants.

5. If any such representation is moved by the petitioners, the Commissioner of Police, Jodhpur shall consider the same and after analysing the factual situation pass necessary orders or take action to ward off any untoward incident.

6. It is hereby clarified that this order may not be construed to be a validation of petitioners' marriage and proof of their age. Any observation made herein shall not affect any criminal or civil proceedings initiated against the petitioners, at the instance of their relatives.

7. With these observations, this criminal misc. petition is disposed of.

8. The stay application also stands disposed of accordingly.