

(2020) 01 RAJ CK 0076

In the Rajasthan High Court

Case No : Criminal Miscellaneous (Petition) No. 324 Of 2020

Prakash Sen And Ors

APPELLANT

Vs

State And Ors

RESPONDENT

Date of Decision : 20-01-2020

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 482

Citation : (2020) 01 RAJ CK 0076

Hon'ble Judges : Vijay Bishnoi, J

Bench : Single Bench

Advocate : Ramesh Dewasi, SK Bhati, Prakash Sen, Manisha Vishnoi

Final Decision : Disposed Of

Judgement

This criminal misc. petition under Section 482 Cr.P.C. has been filed by the petitioners with the following prayers :-

"It is, therefore, most respectfully prayed that this Misc Petition may kindly be allowed and ;-

(i) the respondents authorities be directed to provide police protection to the petitioners and may kindly be directed to respondent Nos 1 to 4 for provide adequate security to the petitioners and their family members.

(ii) If any FIR is lodged against the petitioners by the private respondents and other family members the official respondents be directed to give notice to the petitioners before taking any action on the said FIR and they be further restrained from taking any coercive action against the petitioners.

(iii) Such other and further order/orders as this Hon'ble Court may deems fit and proper in the facts and circumstances of the present case and in the interest of justice.

Learned counsel for the petitioners has submitted that the petitioners are major and as per their own will have married to each other but their family members

are annoyed with their marriage and threatened them with dire consequences, therefore, adequate police protection be provided to them.

After considering the arguments advanced by learned counsel for the petitioners and after taking into consideration the facts and circumstances of the case, this Court is of the opinion that if the petitioners are having any apprehension regarding their life and liberty from their relatives, they may move appropriate representation before the Superintendent of Police, Jodhpur narrating their grievance.

It is expected that if any such representation is moved on behalf of the petitioners, the Superintendent of Police, Jodhpur shall consider the same and after analysing the threat perceptions, if requires so, may pass necessary orders.

It is made clear that this order is not a proof of age and the marriage of the petitioners and any observations in this order shall not affect any criminal and civil proceedings initiated against the petitioners at the instances of their relatives.

With these observations, this criminal misc. petition is disposed of. Stay petition also stands disposed of.