

(2020) 08 RAJ CK 0016

In the Rajasthan High Court

Case No : Criminal Miscellaneous (Petition) No. 3146 Of 2020

Sattan Devi And Ors

APPELLANT

Vs

State Of Rajasthan And Ors

RESPONDENT

Date of Decision : 05-08-2020

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 482
Constitution of India, 1950 — Article 21

Citation : (2020) 08 RAJ CK 0016

Hon'ble Judges : Satish Kumar Sharma, J

Bench : Single Bench

Advocate : Mohammad Aslam, Riyasat Ali

Judgement

1. This Petition has been filed under Section 482 Cr.P.C. for protection to life and personal liberty of the petitioners.

2. Learned counsel for the petitioners submits that petitioner No.4 is of unsound mind and her husband has been confined in jail in FIR No.92/2020

lodged at the instance of private respondents.

Petitioner Nos.1 and 3 being her siblings when tried to help her, private respondents did not allow the petitioners to help petitioner No.4 with the

intention to take away her 14 Bhiga agriculture land and four buffaloes. The private respondents are regularly threatening the petitioners to not to help

petitioner No.4, therefore, police protection may be granted to them.

3. Learned Public Prosecutor submits that appropriate directions may be passed in the matter.

4. Article 21 of the Constitution of India guarantees fundamental right to every person for protection of his life and personal liberty except according to

procedure established by law. Therefore, 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 e-mail, and on receipt of the same, the Station House Officer concerned shall treat this petition as complaint and he shall take necessary preventive measures and other steps to ensure safety and security of the petitioners in accordance with law.

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