

**(2020) 12 RAJ CK 0076**

**In the Rajasthan High Court**

**Case No :** Criminal Miscellaneous (Petition) No. 6095 Of 2020

Urmila Devi

APPELLANT

Vs

State Of Rajasthan And Ors

RESPONDENT

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**Date of Decision :** 14-12-2020

**Acts Referred:**

Code Of Criminal Procedure, 1973 — Section 482

Rajasthan Police Act, 2007 — Section 29

Constitution Of India, 1950 — Article 21

**Citation :** (2020) 12 RAJ CK 0076

**Hon'ble Judges :** Satish Kumar Sharma, J

**Bench :** Single Bench

**Advocate :** VG Kishan Swami, Ramesh Choudhary

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## **Judgement**

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

2. Heard learned counsel for the petitioners and learned Public Prosecutor and perused the material made available on record.

3. Learned counsel for the petitioners submit that both the petitioners are major and have performed marriage with each other, but the parents of

petitioner No. 1 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.

4. Learned Public Prosecutor submits that appropriate directions may be issued.

5. Heard. Considered.

6. 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 ]and *Indra Sarma Vs. VKV Sarma*

[(2013) 15 SCC 755 ]that personal life and liberty has to be protected except according to procedure established by law as mandated under Article 21 of the Constitution of India, irrespective of the fact that the relation between two major individuals may be termed as immoral and unsocial. 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, 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 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.

7. 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.