



NEUTRAL CITATION NO. 2026:MPHC-IND:14394

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W.P. No. 14252/2026

**IN THE HIGH COURT OF MADHYA
PRADESH
AT INDORE
BEFORE
HON'BLE SHRI JUSTICE JAI KUMAR PILLAI**

WRIT PETITION No. 14252 of 2026



Versus

***THE STATE OF MADHYA PRADESH MINISTRY OF HOME
AFFAIRS AND OTHERS***

Appearance:

Shri Aayush Pandey - Advocate for the petitioners

Shri Amit Bhatia - Government Advocate for the respondents/

State.

Reserved on :- 06.05.2026

Post on :- 14.05.2026

ORDER

The present Writ Petition has been preferred by the petitioners under Article 226 of the Constitution of India, invoking the extraordinary writ jurisdiction of this Court to seek a writ of



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mandamus directing the respondents to grant adequate, effective, and round-the-clock (24-hour) police protection, including specialized security during night hours.

2. The substantive relief sought by the petitioners is rooted in their apprehension of continuous threats to their life and liberty. They specifically seek the quashing or modification of the respondents' action dated 13.04.2026, whereby the armed gunman previously deputed for their security was removed and replaced by an unarmed Home Guard personnel. Furthermore, the petitioners seek directions for the authorities to conduct a fair and proper investigation into the continuous threats and suspicious activities reported by them and the police personnel stationed at their residence.

Facts of the Case

3. The factual matrix of the case reveals that the petitioners solemnized their marriage in the year 2019 in accordance with Hindu rites and rituals at the Arya Samaj Mandir, Surajmal Vihar, Delhi. Prior to the marriage, petitioner No. 1, who was originally a Muslim by religion, voluntarily adopted and converted to the Hindu religion out of her own free will and consent.



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4. Out of the said wedlock, the petitioners have been blessed with two minor sons, namely [REDACTED] (aged 5 years) and [REDACTED] (aged 2 years). The Marriage Certificate issued by the Arya Samaj and the identity documents of the Petitioners, including their [Aadhaar Redacted], have been collectively filed as Annexure P/1.

5. The genesis of the dispute arose when petitioner No. 1 informed her parents regarding her marriage and religious conversion. Immediately thereafter, the petitioners began receiving severe threats to their life and safety from the family members of petitioner No. 1 and other individuals. This threat perception was also officially acknowledged in a communication dated 28.09.2021 by an Investigating Officer (Annexure P/2), who noted that Petitioner No. 2 faced threats from individuals of another religion due to solemnizing an inter-religious marriage.

6. The Petitioners shifted their residence to Ratlam in the year 2022. As the threats persisted, Petitioner No. 1 approached this Court by filing W.P. No. 20420/2022. Vide order dated 09.09.2022 (Annexure P/3), this Court directed the Superintendent of Police, Ratlam, to consider the Petitioners' representation and pass necessary orders for police protection in accordance with the law, following which protection was duly granted.



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7. However, the Petitioners allege that the threats escalated between 2024 and 2026. In 2024, an unknown person allegedly attempted to stop the Petitioners' car (complaint marked as Annexure P/4). Subsequently, on 19.07.2025, 22.07.2025, and 24.07.2025, an unidentified vehicle was observed roaming suspiciously near their residence, prompting a formal complaint to the Superintendent of Police, Ratlam (Annexure P/5).

8. The situation was further corroborated by the police constables deputed for their security. On 29.10.2025, Constable Shankar Dewda reported to Respondent No. 4 that unknown persons on a motorcycle without a number plate were conducting suspicious surveillance of the house (Annexures P/6, P/7, and P/8). Similarly, on 23.03.2026, Constable Deepesh Bairagi reported seeing two masked individuals roaming near the house, who fled upon spotting the constable (Annexures P/9 and P/10). The Petitioners submitted repeated representations regarding these incidents on 24.03.2026, 06.04.2026, and 30.04.2026 to the concerned higher authorities, including the Inspector General of Police, Ujjain Range (Annexures P/11, P/12, and P/13).

9. The immediate cause of action for the present petition arose on 13.04.2026, when the Respondents, without assigning any



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administrative reason, withdrew the armed gunman allotted to the Petitioners. In his place, a Home Guard personnel was deputed who neither possesses a firearm nor a cellular phone to alert authorities in case of an emergency (Annexure P/14).

Contentions of the Petitioner

10. Learned counsel for the Petitioners vehemently contends that the action/inaction on the part of the Respondents in failing to provide round-the-clock police protection is arbitrary, illegal, and a direct violation of Article 21 of the Constitution of India, which strictly guarantees the fundamental right to life and personal liberty.

11. It is submitted that the Petitioners are legally wedded spouses who are entitled to live peacefully without interference from family members or societal elements opposed to their inter-religious marriage. The State is duty-bound to protect its citizens, and the current security arrangement being limited to daytime hours and executed by an unarmed guard is grossly insufficient, leaving the Petitioners and their minor children highly vulnerable during the night.

12. The Petitioners further argue that the Respondents have exhibited severe negligence by failing to conduct any proper



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investigation or inquiry into the formal complaints submitted not only by the Petitioners but also by their own deputed police constables. The removal of the gunman on 13.04.2026 is cited as a mechanical and unreasonable exercise of power, demonstrating a sheer non-application of mind to the persistent high-risk threat perception.

13. To substantiate their legal standing, the Petitioners placed heavy reliance on the landmark judgments of the Hon'ble Supreme Court in Lata Singh Vs. State of Uttar Pradesh & Another (AIR 2006 SC 2522) and Shakti Vahini vs. Union of India [(2018) 7 SCC 192]. They highlight the specific guidelines formulated therein, which obligate the State administration and the jurisdictional police officials to provide logistical support, establish safe houses, register FIRs promptly, and ensure effective investigation to protect couples of inter-caste or inter-religious marriages from harassment or mob violence.

Contentions of the Respondents

14. *Per contra*, the learned counsel appearing on behalf of the State Respondents has vehemently opposed the present Writ Petition and the reliefs sought therein.



Analysis and Conclusion

15. Having heard the rival contentions of the parties and upon careful perusal of the record, this Court must first delineate the scope of its extraordinary jurisdiction under Article 226 of the Constitution of India in matters pertaining to the administrative deployment of security personnel.

16. This Court observes with concern the filing of a bundle of petitions where, in almost every inter-caste or inter-religion marriage, the couple registers a writ petition seeking continuous police protection without any clear, substantive, and unimpeachable evidence of an ongoing, imminent threat. While the Constitutional Right to life under Article 21 is paramount, the issuance of a continuous writ of mandamus for the deployment of specific security details requires strict scrutiny. Every writ petition seeking such extraordinary protection must be substantiated by clear proof of threat, rather than general apprehensions or isolated incidents of suspicious vehicles, which primarily warrant regular police patrolling and investigation rather than personal armed guards.

17. It is a well-settled proposition of law that every citizen is always free to make a complaint and take the recourse of the police



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machinery whenever they are under threat or in need of protection. The statutory framework is fully equipped to handle such grievances.

18. Consequently, this Court cannot, in the name of protection, assume the role of the security establishment and issue blanket orders to dictate the precise modalities of security deployment. Specifically, this Court cannot order reliefs like directing the Respondents "to provide adequate and effective police protection to the Petitioners and their family members, including round-the-clock (24 hours) security protection, at their residence or wherever they are" or issuing a writ "directing the Respondents to Re-allot Gunman/enhance the existing police protection by deployment of sufficient police personnel, including protection during night hours".

19. At this juncture, it is also crucial to clarify the scope of the order passed by this Court in the earlier petition filed by the Petitioners, i.e., W.P. No. 20420/2022. In that matter, this Court had merely directed the Superintendent of Police, Ratlam, to consider and decide the representation of the petitioner, in accordance with the law, within seven days. A plain reading of the said order makes it abundantly clear that the directive was strictly confined to the



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disposal of the representation. It did not, by any stretch of imagination, constitute a judicial mandate or order directing the police authorities to provide continuous, round-the-clock security in perpetuity. The Petitioners, therefore, cannot rely on the earlier order to claim a vested, ongoing right to permanent armed protection.

20. Nonetheless, it remains the absolute statutory and constitutional duty of the police administration to maintain law and order. The authorities are obligated to take active, prompt, and appropriate action whenever a complaint of such nature is received. The local police authorities are expected to look into the gravity of the case and strictly adhere to the remedial and preventive guidelines formulated by the Hon'ble Supreme Court in the cases of Lata Singh Vs. State of Uttar Pradesh & Another (AIR 2006 SC 2522) and Shakti Vahini vs. Union of India [(2018) 7 SCC 192].

21. In view of the aforesaid detailed analysis, observations, and findings, this Court finds that the specific reliefs prayed for by the Petitioners regarding the micromanagement of their security detail cannot be granted under the writ jurisdiction. However, the Petitioners are always free to take recourse of the local police or authority whenever required.



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The Writ Petition is, accordingly, **dismissed.**

Pending applications, if any, shall also stands **disposed of** accordingly.

No order as to costs.

(Jai Kumar Pillai)
Judge

Rashmi