

**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**

S.B. Criminal Misc. Petition No. 5423/2022

Chitransh Sharma

----Petitioner

Versus

1. State of Rajasthan through Public Prosecutor.
2. The Director General of Police, Rajasthan, Jaipur.
3. The Commissioner of Police, Police Commissionerate, Govt. Hostel, M.I. Road, Jaipur.
4. The Deputy Commissioner of Police, Jaipur (East)
5. The Station House Officer, Police Station Kho-Nagoriyan, District Jaipur (Raj.)

----Respondents

For Petitioner(s)	:	Mr. Bhunesh Sharma
For Respondent(s)	:	Mr. Atul Sharma, PP

HON'BLE MR. JUSTICE SUDESH BANSAL (V.J.)

Order

15/06/2022

1. The instant misc. petition has been filed by petitioner seeking protection of his life and liberty guaranteed by virtue of Section 21 of the Constitution of India.

2. Counsel for petitioner submits that petitioner is a lawyer and on 14.06.2022, in the mid night at about 1-1:30 AM few persons came in white colour renault Tribber Car and threw stones at his house, due to which glass of car and room of first floor of his house were damaged. The incident is recorded in CCTV Camera installed at the house of petitioner. Counsel for petitioner further submits that petitioner received a threat call on his Mobile

from another mobile from a person named Mridul. The person claimed himself to be confined in Barrack No.6 of jail and gave a threat of killing the petitioner and disclosed that the incident in the night of 14.06.2022 was committed on his instructions.

3. Counsel for petitioner further submits that the petitioner does not have any animosity with any person, however, in aforesaid facts and circumstances, a serious and immediate threat to his life and liberty has occurred. Petitioner lodged FIR No.340/2022 on 14.06.2022 at Police Station Kho-Nagoriyan which has been registered for offences under Section 427, 336 and 384 of IPC. However, respondents have not taken any effective steps to protect life and liberty of petitioner and his family members. Hence, in such circumstances, the petitioner is constrained to file this petition.

4. It is well settled legal position as expounded by the Hon'ble Supreme Court in umpteen number of judgments that the life and personal liberty of an individual has to be protected according to procedure established by law, as mandated by Article 21 of the Constitution of India. Further, as per Section 29 of the Rajasthan Police Act, 2007 every police officer is duty bound to protect the life and liberty of the citizens.

5. Having heard counsel for petitioner and on perusal of material available on record as also the proposition of law, this Court finds that prima facie, petitioner and his family members have received threats to life and liberty and without protection, it is difficult for petitioner to live peaceful life at his home.

6. In such peculiar facts and circumstances, this Court deems it just and proper to direct to respondents to grant protection to

petitioner and his family members and to make all necessary arrangements to provide adequate security and protection to petitioner and his family members.

7. In addition, respondents would also ensure to extend the necessary protection by deploying the police personnel at petitioner's house and also instruct PCR to have regular visit so that petitioner and his family members may be protected.

8. It is made clear that any observation in this order shall not affect any criminal and civil proceedings initiated in relation to the issue arose in the present petition.

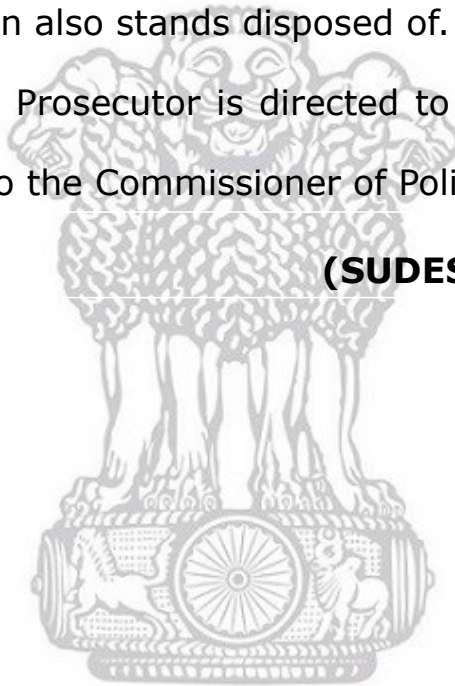
9. The instant criminal misc. petition stands disposed of.

10. Stay application also stands disposed of.

11. Learned Public Prosecutor is directed to serve a copy of this order immediately to the Commissioner of Police, Jaipur.

(SUDESH BANSAL) (V.J.)

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