



**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Criminal Writ Petition No. 229/2026

1. Altaf Bano W/o Late Yunus Khan, Aged About 56 Years, R/o Chimpon-Ka-Mauhall, Behind Sunaron-Ki-Bagechi, Gangashahar Road, Bikaner. Raj
2. Javed Khan Panwar S/o Late Yunus Khan, Aged About 37 Years, R/o Chimpon-Ka-Mauhall, Behind Sunaron-Ki-Bagechi, Gangashahar Road, Bikaner. Raj
3. Imran Khan S/o Late Yunus Khan, Aged About 37 Years, R/o Chimpon-Ka-Mauhall, Behind Sunaron-Ki-Bagechi, Gangashahar Road, Bikaner. Raj
4. Foroj Khan S/o Gulam Fareed, Aged About 50 Years, R/o Chimpon-Ka-Mauhall, Behind Sunaron-Ki-Bagechi, Gangashahar Road, Bikaner. Raj

----Petitioners

Versus

1. State Of Rajasthan, Through The Secretary, Department Of Home Affairs, Govt. Of Rajasthan, Jaipur. Raj.
2. The Director General Of Police, Jaipur (Raj)_
3. The Inspector Genera Of Police, Jaipur. Raj.
4. The Superintendent Of Police, Bikaner. Raj.
5. The S.h.o., P.s. Kotgate, Bikaner. Raj.
6. Sanjay Bothra, (R.p.s.) At Present Posted As Dysp, Traffic Police, Ajmer. Raj.

----Respondents

For Petitioner(s)	:	Mr. Sourav Shekhar
For Respondent(s)	:	Mr. N.S. Chandawat, Dy.G.A. Mr. Dhirendra Singh Shekhawat, SHO, PS Kotgate, Bikaner.

HON'BLE MR. JUSTICE FARJAND ALI

Order

06/02/2026

1. The present Criminal Writ Petition filed under Articles 226 & 227 of the Constitution of India arises from a protracted pattern of



illegality, abuse of official authority, and sustained intimidation, culminating in a grave and imminent threat to the life and personal liberty of the petitioners.

2. Briefly stated the facts of the case in the year 2016, the family members of Petitioner No.1 were illegally, arbitrarily, and without due process arrested by Respondent No.6, then acting in his official capacity. When Petitioner No.1 approached the concerned police station to seek an explanation for such unlawful detention, Respondent No.6, in concert with other police personnel, subjected the petitioner and her relatives to physical assault, amounting to a flagrant violation of constitutional guarantees and statutory protections. Aggrieved thereby, Petitioner No.1 lodged a formal complaint against Respondent No.6 and other delinquent officials.

2.1. Upon judicial scrutiny, the Learned Chief Judicial Magistrate, Bikaner, by order dated 27.09.2018, took cognizance of the offences against Respondent No.6. The said order was assailed by Respondent No.6 by way of CRLMP No. 6829/2021 before this Hon'ble Court, which came to be disposed of with specific directions vide order dated 10.01.2025.

2.2. Subsequently, the learned Trial Court proceeded to frame charges, and the matter was posted for prosecution evidence. It is at this decisive stage that Respondent No.6, apprehensive of the legal consequences of a full-fledged trial, resorted to coercive and extra-legal measures, exerting relentless pressure upon the petitioners to compel an unlawful compromise. Between



20.12.2025 and 21.12.2025, a notorious gangster, Rohit Godara, contacted the petitioners through WhatsApp calls from mobile number +35192464922, specifically targeting Petitioner No.3 (Imran) on mobile number 9829972345, and issued unequivocal threats demanding withdrawal of the criminal proceedings pending against Respondent No.6.

2.3. When the petitioners and their family members ceased responding to these intimidating communications, the said gangster once again contacted Petitioner No.3 on 29.12.2025, this time through WhatsApp number +35192464922, and openly threatened dire and irreversible consequences in the event of refusal to compromise the case.

2.4. In immediate response to these alarming developments, Petitioner No.1 submitted a detailed representation dated 01.01.2026 to the Inspector General of Police, Bikaner Range, seeking immediate police protection for the petitioners and their family members, along with a prayer for registration of criminal proceedings against the perpetrators. Regrettably, the said representation elicited no response or remedial action whatsoever. Thereafter, on 05.01.2026, Petitioner No.1 submitted a further comprehensive representation to the Director General of Police, Jaipur, reiterating the imminent threat to life and requesting decisive legal action against the culprits, including Respondent No.6. This representation too was met with sheer administrative indifference and inaction.



2.5. It is further averred that the private respondents and their associates are persistently intimidating and obstructing the petitioners, with the deliberate intent of preventing them from appearing before the Trial Court as witnesses and from prosecuting their case in accordance with law. The petitioners continue to live under constant fear and coercion, as the threats extended are real, proximate, and capable of execution, thereby posing an immediate and serious danger to their lives and personal safety.

2.6. In these exceptional and compelling circumstances, the present Criminal Writ Petition has been instituted by invoking the extraordinary jurisdiction of this Court, seeking protection of life and liberty, enforcement of the rule of law, and appropriate directions against the erring officials and criminal elements who are misusing power and actively subverting the administration of justice.

3. Learned counsel for the petitioners respectfully submits that the respondent police authorities have displayed gross apathy and deliberate indifference towards the grave and imminent threat to the life and personal liberty of the petitioners and their family members. Despite repeated and detailed representations, the authorities have failed to extend even the minimum protection mandated by law.

3.1. It is further submitted that owing to the pendency of the criminal trial against Respondent No.6, particularly at the crucial stage of prosecution evidence, Respondent No.6 has resorted to



systematic intimidation and coercion, acting in connivance with hardened criminals, including a notorious gangster, with the sole intent to compel the petitioners to withdraw or compromise the case, thereby subverting the administration of justice.

3.2. Learned counsel submits that the threats are real, proximate, and capable of execution, given the criminal antecedents of the persons involved, forcing the petitioners and their family members to live under constant fear and restriction, evidencing the seriousness of the threat perception. It is further submitted that Article 21 of the Constitution of India casts a positive obligation upon the State to protect its citizens. The continued inaction of the police, despite clear knowledge of the danger, is arbitrary, unconstitutional, and an abdication of statutory duty, contrary to the law laid down by the Hon'ble Supreme Court in *Lata Singh v. State of U.P. & Anr.* (AIR 2006 SC 2522).

3.3. Lastly, learned counsel submits that immediate protective directions are imperative, failing which the petitioners' fundamental rights would be rendered illusory. Accordingly, it is prayed that the respondent authorities be directed to provide adequate and effective protection to the life and liberty of the petitioners and their family members, in accordance with law.

4. I have heard the learned counsel for the parties and gone through the material as made available to this Court.

5. Upon a careful consideration of the material placed on record, this Court finds that the matter raises issues of grave



constitutional significance touching the life, liberty, and safety of the petitioners and their family members.

5.1. The factual report submitted before this Court categorically reveals that the police authorities themselves have admitted the fact that threats have been extended to the petitioners by a hardened criminal/gangster. Once such a serious fact stands acknowledged by the State machinery, the obligation cast upon the police authorities does not remain discretionary but becomes imperative, immediate, and enforceable in law. In such circumstances, the Superintendent of Police concerned is duty-bound to take prompt, effective, and meaningful steps to neutralize the threat perception, failing which the said authority shall be answerable for the consequences that may ensue, including any harm caused to the petitioners or their family members.

5.2. This Court further notes that serious allegations have been levelled against the respondent No.6 Sanjay Bothara, including the assertion that a notorious gangster is allegedly acting at his behest and is being used as an instrument to intimidate and terrorize the petitioners with a view to coercing them into withdrawing or compromising a pending criminal case. Such allegations, if true, strike at the very root of the rule of law and the criminal justice system.

5.3. The allegation that a gangster is operating under the protection or instructions of a police officer raises a disturbing and alarming question of systemic failure. When the protector



becomes the destructor, the confidence of the public in the system stands shattered, and the institutional framework meant to uphold law and order risks complete collapse. A democratic society governed by the rule of law cannot afford a situation where those entrusted with the duty to protect citizens are perceived as agents of intimidation and fear.

5.4. At the same time, this Court is conscious of the fact that the respondent No.6 Sanjay Bothara has not been afforded an opportunity of hearing at this stage. Therefore, no final or adverse findings or definite opinions are being recorded against the said officer on merits, however, the seriousness, gravity, and far-reaching implications of the allegations compel this Court to ensure that the matter is examined with utmost objectivity, independence, and urgency.

6. Accordingly, this Court deems it fit and proper to issue the following directions in the interest of justice:

1. The Superintendent of Police concerned shall immediately address the threat perception and ensure that adequate, effective, and continuous protection is provided to the petitioners and their family members, strictly in accordance with law.
2. The Director General of Police, Jaipur is directed to look into the matter with due seriousness and ensure that the allegations are not treated casually or mechanically.
3. The Home Secretary, Govt. Of Rajasthan, Jaipur and the Director General of Police, Jaipur are directed to pass



appropriate, adequate, and reasoned orders in this regard and to cause a thorough, fair, and impartial inquiry into the allegations by appointing a senior officer.

4. In order to uphold the integrity, impartiality, and institutional sanctity of the inquiry, it is observed that, where considered appropriate, the respondent No.6 shall remain entirely disengaged from the petitioners and their family members, so as to preclude any possibility of undue influence, direct or indirect, upon the investigative process. It would further advance the ends of justice to prohibit the said officer, for the duration of the inquiry, from contacting or associating in any manner with individuals conversant with the facts in issue or material to the proceedings, thereby ensuring that the inquiry remains untainted by interference, coercion, or intimidation.

These directions are issued keeping in view the constitutional mandate under Article 21 of the Constitution of India, which obligates the State to safeguard the life and personal liberty of its citizens so also the ensure fairness and transparency in public duties. The Court reiterates that the State cannot remain a mute spectator when credible threats to life are brought to its notice.

7. The petition stands disposed of in the above terms. m

(FARJAND ALI),J

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