



IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE

BEFORE

HON'BLE SHRI JUSTICE SANDEEP N. BHATT

ON THE 7th OF SEPTEMBER, 2026

WRIT PETITION No. 48919 of 2025

TANISHA

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

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Appearance:

Shri Ashish Joshi - Advocate for the petitioner.

Shri Garvit Jain Panel Advocate for State.

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ORDER

Heard on admission.

By filing this petition, petitioner has prayed for following reliefs:-

- i) Issue an appropriate writ, order or direction to the Respondents to provide immediate police protection to the Petitioner to ensure her safety, liberty and freedom of movement.
- ii) Direct the Respondents to ensure that no parent, guardian, relative or any other person shall interfere, obstruct or create any pressure upon the Petitioner in respect of:
Practicing Shwetambar Jain religion,
her decision to pursue Diksha,
any future religious initiation ceremonies.
- iii) Direct that no coercive action, false complaints, allegations or surveillance be permitted against the Petitioner or against any religious persons associated with the Diksha process.
- iv) Declare that the Petitioner, being a major, is entitled to exercise her fundamental rights under Articles 19, 21, 25 and 26 without hindrance from any person.
- v) That, any other appropriate writ, order or direction which this Hon'ble court deem just and proper in the fact and circumstances of the present case, may kindly be passed in favour of the petitioners.

Counsel for petitioner submits that the petitioner has chosen to follow



Shwetambar Jain Dharma and pursue the religious path of Diksha. He has also submitted that parents of petitioner and relatives are harassing and opposing her religious choice. The petitioner apprehends that her family members may interfere with her freedom of conscience and religion, attempt to restrict her movement and liberty. Learned counsel submits that petitioner has submitted a representation to the Commissioner of Police, Indore in this regard which is pending. Therefore, she has filed present petition to provide her adequate protection and to ensure that she will not be subjected to any form of cruelty, harassment, coercion or intimidation by her parents, relatives or any other private person.

I have considered the submissions made at the bar. It seems that the petitioner who is aged 20 years, citizen of India, is entitled to follow the religion or practise of religion as per her own way and to live her life as per her will. It transpires that petitioner is following Jain Dharma and various aspects of Jain Dharma, now she has decided to renounce the world (to take *Diksha*) and to live her life as *Saadhvi*. It also transpires that the parents and near relatives of petitioner who are having obvious attachment towards her daughter are trying to prevent her to do so and therefore, she is having apprehension that as her parents are influencing persons in the society, they will not permit her to take Diksha and to live her life peacefully as a Jain Saadhvi.

Looking to the peculiar facts of the case, this Court has equal sympathy towards the present petitioner as well as towards the parents of the petitioner, but law provides that petitioner being a major (aged more than 18



years) and citizen of India is entitled to get protection of her family rights and other legal rights and for any obstruction caused by anybody, the same cannot be permitted in eye of law. Though the Court has all sympathy with the parents for valid resistance on the basis of their attachment with their daughter, but I am of the view that considering the ratio of judgment passed by the Hon'ble Apex court in case of *Lata Singh Vs. State of U.P. another reported in AIR 2006 SC 2522* where the Hon'ble Apex court in case of major persons, aged more than 18 years has held that they are free to have their own decision and for that the Court is required to protect interest of such person.

In view of the above, the petitioner is directed to approach the Superintendent of Police/concerned police station/respondent No.4 by filing an application for asking some assistance against any coercive method taken by any other person against her including her parents. If such application is filed, then the concerned authority/concerned SHO of concerned Police Station shall look into the matter and immediately take action in accordance with the direction given by the Apex Court in the cases of *Lata Singh (supra)* and *Shakti Vahini vs. Union of India (2018) 7 SCC 192*.

With the aforesaid direction, present Writ Petition stands disposed of.

(SANDEEP N. BHATT)
JUDGE