

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

Case:- CRM(M) No. 1117/2023
CrIM No. 2240/2023

1. **Asif Ali, age 21 years** Petitioner(s)
S/O Mohd Riaz,
2. **Mohd Riaz, age 46 years**
S/O Nazam Din,
3. **Mohd Zabir, age 35 years**
S/O Nazam Din,
4. **Mohd Shabir, age 23 years**
S/O Qasim,
5. **Sajid Ali, age 14 years**
S/O Mohd Riaz, through his
father petitioner no. 2 being
natural guardian,

All residents of Village Gakhrote,
Tehsil Kotrenka, District Rajouri.

Through: Mr. Ashok Sharma, Advocate.

Vs

1. **Union Territory of J&K**
Through Station House Officer,
Police Station,
Kandi, Distric Rajouri. Official Respondent(s)
2. **Raqia Begum**
W/O Mohd Rashid
R/O Village Gakhrote,
Tehsil Kotrenka, District Rajouri.

.....Private Respondent(s)

Through: Mr. Bhanu Jasrotia, GA.

Coram: HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE

ORDER
(30.12.2023)

01. Heard learned counsel for the petitioners.
02. The petitioner no. 1 has married the Shazia Akhter, the daughter of the respondent no. 2. The petitioner nos. 2 to 5 are the family members of the petitioner no. 1. Shazia Akhter

herself is not appearing as a co-petitioner in the present petition but is present in person today before this Court along with the petitioner no. 1. She states that she has married the petitioner no. 1 on her own volition although against the wishes of her parents. The petitioner no. 1 submits that the parental house of Shazia Akhter is in his neighborhood in the same village.

- 03.** The respondent no. 2 has registered the FIR no. 0118/2023 dated 01.12.2023 under sections 363 and 109 IPC with the Police Station Kandi, district Rajouri.
- 04.** For proof of age of Shazia Akhter, the petitioner no. 1 has annexed copy of her Aadhaar Card as well as that of his own from where it is forthcoming that both being major and of same religion from the same village having married each other on their own volition.
- 05.** In view of this, this petition is **disposed of** with a protection being afforded to the petitioner no. 1 and Shazia Akhter. The Senior Superintendent of Police (SSP), Rajouri to ensure protection of the petitioner no. 1 and Shazia Akhter in connection with the investigation of FIR no. 0118/2023 so as to get its closure in the face of the statement being made by the Shazia Akhter as well as the petitioner no. 1 that they have married each other.
- 06.** This Court directs the petitioner no. 1 and Shazia Akhter to appear before the Superintendent of Police (SSP), Rajouri on 2nd of January, 2024 at 11:00 am who would accordingly direct the SHO, Police Station Kandi, district Rajouri to carry

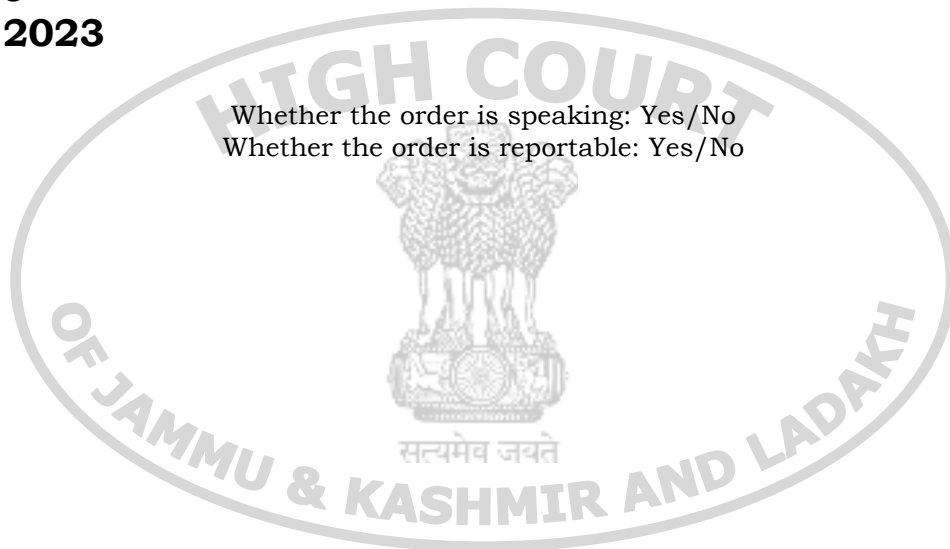
out requisite investigation process for the sake of closing the case unless Shazia Akhter resiles herself from the claim of having married with the petitioner no. 1 on her own volition and without any coercion and intimidation from the end of the petitioner no. 1 and his relatives i.e. the petitioner nos. 2 to 5.

07. The present petition is, accordingly, ***disposed of***.

(RAHUL BHARTI)
JUDGE

JAMMU
30.12.2023

Bunty



Whether the order is speaking: Yes/No
Whether the order is reportable: Yes/No