

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

WP(C) No. 1218/2025
CM No. 2898/2025

Arjun Kumar and another

.....Petitioner(s)

Through: Mr. Piyush Anand, Advocate

Vs

Union Territory of J&K and others

..... Respondent(s)

Through: Mrs. Monika Kohli, Sr. AAG

Coram: HON'BLE MR. JUSTICE MOHD. YOUSUF WANI, JUDGE

ORDER
16.05.2025

1. Through the medium of the instant petition filed under the provisions of Article 226 of the Constitution of India, the petitioners have sought the issuance of directions in the nature of *Mandamus inter-alia* to the effect that official respondents be commanded to ensure that the life and personal liberty of the petitioners who have solemnized their marriage as per the Hindu Law and Rites, out of their own free will and consent is not interfered with and the private respondents as well as their relatives be accordingly restrained from interfering into their marital life.

2. The petitioners are present in person, who submitted in the open Court that they are major and have married with each other as per the Hindu Rites and Customs out of their free will and choice; that they were already in love affair for some time, pursuant to which they entered into marriage about one year ago; that subsequently the parents of the petitioner No. 2 told her to come back on the assurance that her marriage will be performed formally with the petitioner No. 1 in a descent way and that the parents of the petitioner No. 2 later-on asked her to

marry with someone else which she did not agree and again resumed the company of petitioner No. 1.

3. The learned counsel for the petitioners submitted that since the petitioners being major have contracted marriage already in the last year as per the Hindu customs and rites out of their free will and consent, therefore, they need to be protected as per the directions of the Hon'ble Apex Court passed in case titled '*Lata Singh Vs. State of UP and Anr (2006) 5 SCC 475*'.

4. The statements of the petitioners given by them in the open Court were got recorded by the Registry. As per the copies of the certificates placed on the record, the petitioners are major.

5. The instant petition, as such, in the peculiar facts and circumstances of the case, is taken up for final disposal at this threshold stage and is, accordingly, **disposed of**, with the direction to the respondent Nos. 1 to 4 that they shall ensure that the life and liberty of the petitioners is not deprived, and they are extended protection in case they approach them with such request. However, this order shall not be construed as any opinion of this Court regarding validity of the marriage between the petitioners.

6. A copy of this order be provided to counsel for the petitioners under the seal and signatures of the Bench Secretary/Reader of this Court.

(Mohd. Yousuf Wani)
Judge

Jammu
16.05.2025
Suraj K. Singh