

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

**CRM(M) No. 1221/2025
CrIM No. 2259/2025**

Khulda Akhter

.....Petitioner(s)

Through: Petitioner present in person.

Vs

Manmohan Kumar

..... Respondent(s)

Through:

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

**ORDER
21.11.2025**

01. Petitioner is present in person, who is accompanied by her brother namely, Tanveer Ahmed S/o Bashir Ahmed R/o Village Bagga, Tehsil Mahore, District Reasi. The identity of both of them has been ascertained.

02. Through the medium of the instant petition filed under the provisions of Section 528 BNSS, the petitioner seeks the quashment of the application as also the order dated 03.11.2025 passed on the said application reported to have been filed by one Manmohan Kumar S/o Dhani Ram R/o Matlote, Tehsil Thuroo, District Reasi in terms of provisions of Section 100 BNSS before the Court of learned Chief Judicial Magistrate Reasi alleging the present petitioner as his wife having been wrongly confined by her brothers namely Tanveer Ahmed, Shah Nawaz Ahmed and Shokit Ahmed, sons of Bashir Ahmed R/o Bagga Tehsil Mahore, District Reasi (non-applicants in the application under Section 100 BNSS) and seeking the directions upon the SHO Police Station Arnas to conduct, search and recovery of the petitioner. It has been averred in the instant

petition as well as is being submitted in the open Court by the petitioner (alleged confinee) that she has solemnized marriage with one Abdul Qayoom S/o Nazir Ahmed R/o Bagga Tehsil Mahore, District Reasi on 16.06.2025 with whom she was living quite happily and peacefully. The Nikahnama of the petitioner with the said Abdul Qayoom relied upon by her is forming the Annexure II to the petition. She has further averred and also submits in the open Court that the respondent namely Manmohan Kumar S/o Dhani Ram falsely and frivolously alleges her to be his wife. That since the time prior to her marriage with the said Abdul Qayoom, the respondent has been having an evil eye on her who many a times attempted to kidnap her but did not succeed. That the respondent has been also extending threats to her for not meeting his demand. That she after her marriage with the aforesaid Abdul Qayoom came to her parental home on 12.08.2025, wherefrom she was kidnapped by the respondent and other persons forcibly to compel her marriage despite being already married. That her husband thereafter filed an application before SHO Police Station Mahore, with the request for her recovery from the respondent and she upon being recovered by the Police Station concerned, was handed over to her parents and brothers. That she was also made to sign on some documents forcibly, after she was kidnapped by the respondent. That the respondent has now filed a false and frivolous application before the learned Chief Judicial Magistrate, Reasi, alleging her as his legally wedded wife having been wrongly confined by her brothers. That she as well as her brothers are scared of the intentions of the respondent, who has been extending threats to them.

03. Since the petitioner Khulda Akhter accompanied with her brother namely

Tanveer Ahmed has given her statement in the open Court in a quite relaxing atmosphere that she stands wedded to one Abdul Qayoom Malik S/o Nasir Ahmed R/o Village Sarh Baggha, Tehsil Mahore, District Reasi and the present respondent (applicant in application under Section 100 BNSS) before the learned Chief Judicial Magistrate Reasi) earlier kidnapped and subjected her to criminal intimidation for putting signature on some documents that were written in the language unknown and ununderstandable by her, as such, it is clear that the fact which the learned Chief Judicial Magistrate Reasi had to ascertain for passing appropriate orders warranted under law in the backdrop of the situation, stands now so ascertained before this Court by quite voluntary statement of the petitioner/alleged confinee that she is wedded to Abdul Qayoom and is presently living at her parental home with her brothers.

04. The application filed in terms of Section 100 BNSS by the respondent Manmohan Kumar stands, accordingly, **dismissed**.

05. Copies of this order be forwarded forthwith to the learned CJM Reasi and the SHO concerned for information.

06. This application is, accordingly, **disposed of**.

(Mohd. Yousuf Wani)
Judge

Jammu
21.11.2025
Riya Kochhar