

S.No. 255 Supp. List

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

WP(C) 1788/2025
CM No. 4669/2025

Shazia Jan & Anr.

...Petitioner/Appellant(s)

Through: Mr. Mir Umer, Advocate

V/s

SHO P/S Panzala AND ORS.

...Respondent(s)

Through:

CORAM: HON'BLE MR. JUSTICE WASIM SADIQ NARGAL, JUDGE.

ORDER
30.07.2025

1. In terms of order dated 28.07.2025, passed by this Court, SHO namely Imtiyaz Ahmad Bhat, PID No. ARP-115628 of P/S Panzalla is present in person before the Court and he has produced both the petitioners before the Court and submits that initially FIR No. 50/2025 was registered at the behest of the brother of the girl i.e; petitioner No. 1 for kidnapping and after investigation both the petitioners were found to be major and the case was closed. However, a certificate has been produced before this Court evidencing the factum of the age of the girl i.e petitioner No. 1

wherein the date of birth (DOB) of girl has been reflected as 08.03.2003 and the said certificate seems to have been issued by the concerned Headmaster Government Primary School, Mirpora Rohama which seems to be doubtful.

2. The concerned SHO is directed to verify the said certificate whether the same has been issued by the concerned Headmaster or otherwise. The original certificate has been handed over to the concerned SHO only for the purpose of verifying this aspect and report in this regard be submitted by the Concerned SHO before the Registrar Judicial of this Court within a period of one week from today.
3. The petitioners seek a direction to official respondents to provide them the police protection as they apprehend danger to their lives from private respondents Nos.2 & 3. It is submitted that the petitioners are major and out of their free will they got married. Copy of Nikahnama has been placed on record. They submit that since they have contracted the marriage against the wishes of private respondents Nos.2 & 3, as such, they are facing harassment from their side.
4. Learned counsel for the petitioners refers to the decision of the Supreme Court in **Lata Singh v. State of U.P. and Anr., 2006(5) SCC 475**, and submits that in absence of there being any

legal impediment, the petitioners are entitled to marry according to their choice and the official respondents are duty bound to protect the life and liberty of the petitioners.

5. Any person having attained the age of majority is entitled to contract the marriage as per his/her wishes and the police department is duty bound to protect the life and liberty, if approached.
6. In this view of the matter, this petition is disposed of, at this stage, by providing that the official respondents shall look into the grievance of the petitioners for providing them adequate security and to ensure that nobody interferes in their married life, if they approach them. It is made clear that no opinion has been expressed with regard to the validity of their marriage.
7. The writ petition is, accordingly, disposed of.

(WASIM SADIQ NARGAL)
JUDGE

SRINAGAR
30.07.2025
"S.Nuzhat"

