

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

CJ Court

**LPA No. 26/2026 in
WP(C) No. 129/2026
CM Nos. 831/2026, 832/2023**

Uploaded on: 20.02.2026

Whether the operative part or full judgment
is pronounced: **Full judgment.**

1. **Munnu Din,**
Aged 73 Years S/O Firoze Din, R/O
Village Prey Jandrari Tehsil Ramnagar,
District Udhampur, 182122
2. **Lal Hussain**
Aged 40 years, S/O Munnu Din, R/O
Village Prey Jandrari Tehsil Ramnagar,
District Udhampur, 182122
3. **Sheru**
S/O Khan Mir, Village Prey Jandrari
Tehsil Ramnagar, District Udhampur,
182122
4. **Nobbi**
W/O Sheru, Village Prey Jandrari Tehsil
Ramnagar, District Udhampur, 182122
5. **Ghulam Kadar**
S/O Sheru R/O Chak Bathal, Mathra
Chak, Tehsil Hiranagar, District Kathua,
184148, Th. his father Appellant No. 3. Appellant(s)/Petitioner(s)

Through: Mr. K. S. Johal, Sr. Advocate with
Mr. Karman Singh Johal, Advocate.

Vs

1. **UT of J&K**
Th. Principal Secretary, Home
Department, Civil Secretariat,
Jammu/Srinagar.
2. **Senior Superintendent of Police,**
Udhampur.
3. **Senior Superintendent of Police,**
Kathua.
4. **Station House Officer,** Police Station,
Ramnagar.
5. **Station House Officer,** Police Station

- Rajbagh, Kathua.
6. **Kiy,**
S/O Mao, R/O Village Kanah, Tehsil
Ramnagar, District Udhampur.
 7. **Niku,**
S/O Kiy, R/O Village Kanah, Tehsil
Ramnagar, District Udhampur
 8. **Shoomi,**
S/O Kiy, R/O Village Kanah, Tehsil
Ramnagar, District Udhampur
 9. **SPO Juba,**
S/O Bagri, R/O Gadhani, Tehsil
Ramnagar, District Udhampur.
 10. **Barfia,**
S/O Bagri, R/O Gadhani, Tehsil
Ramnagar, District Udhampur
 11. **Sheedu,**
S/O Barfia, R/O Gadhani, Tehsil
Ramnagar, District Udhampur
 12. **Allu,**
S/O Barfia, R/O Gadhani, Tehsil
Ramnagar, District Udhampur
 13. **Ali,**
S/O Juba, R/O Jindradi, Tehsil
Ramnagar, District Udhampur
 14. **Habib,**
S/O Juba R/O Jindradi, Tehsil Ramnagar,
District Udhampur
 15. **Juba**
S/O Khan Mir, R/O Jindradi, Tehsil
Ramnagar, District Udhampur
 16. **Kema,**
W/O Juba, R/O Jindradi, Tehsil
Ramnagar, District Udhampur Respondent(s)
 17. **Sudha Begum,**
Aged 18 years, D/O Lal Hussain, R/O
Village Prey Jandrari, Tehsil Ramnagar,
District Udhampur, 182122 Proforma Respondent(s)

Through: Ms. Monika Kohli, Sr. AAG.

**Coram: HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE RAJNESH OSWAL, JUDGE**

ORDER
18.02.2026

1. The appellants, alongwith proforma respondent No. 17, had filed writ petition bearing WP(C) No. 129/2026, for commanding the official

respondent Nos. 1 to 5 to provide adequate security/protection to them for having facilitated solemnization of marriage of appellant No. 5 and proforma respondent No. 17 against the wishes of private respondent Nos. 6 to 16. Furthermore, directions were sought against official respondent Nos. 1 to 5 to ensure that the private respondents cause no undue harassment, threats, or injury to the life and limb of the appellants and proforma respondent No. 17. Additionally, the appellants and the proforma respondent No. 17 also sought directions against the private respondent Nos. 6 to 16 and their relatives not to interfere in the marital life of appellant No. 5 and proforma respondent No. 17 and have also prayed for recording of the statement of proforma respondent No. 17 afresh.

2. Learned Writ Court vide order dated 30.01.2026, directed respondent No. 4-SHO, Police Station, Ramnagar to produce the appellant No. 5 and proforma respondent No. 17 before the Court along with mother of proforma respondent No. 17, who were allegedly arrested by him without any justifiable reason. Simultaneously, respondent No. 4-SHO Police Station, Ramnagar was also directed to remain present before the Court.
3. As evidenced by the order dated 31.01.2026, the learned Writ Court directed the Registrar Judicial to record the statements of appellant No. 5 and proforma respondent No. 17 that day at 4:30 P.M. In the interim, the proforma-respondent was permitted to remain in the custody of her mother at her parental home.
4. In terms of order dated 03.02.2026, the learned Writ Court, after taking note of the statements made by the appellant No. 5 and proforma

respondent No. 17, allowed the proforma respondent No. 17, who was major, to continue staying according to her choice with her maternal grandmother till further orders from the Court. In its order dated 03.02.2026, the learned Writ Court placed reliance upon the statement of proforma respondent No. 17, noting her status as a major and her stated preference to live with her maternal grandmother.

5. The appellants, through the medium of this intra-court appeal, have impugned the orders dated 31.01.2026 and 03.02.2026, passed by the learned Writ Court, in the writ petition mentioned above and also the statement of the proforma respondent No. 17 recorded before the Registrar Judicial of this Court on 31.01.2026.
6. Mr. K. S. Johal, learned Senior Counsel has submitted that appellant No. 5 and proforma respondent No. 17 had married of their free will. He has vehemently argued that the proforma respondent's statement, recorded by the Registrar Judicial the same day she was produced from police custody, was made under pressure. He maintained that the respondent was denied sufficient time to reflect, rendering the statement a product of coercion.
7. We have examined the statement made by the proforma respondent No. 17 before the Registrar Judicial of this Court, wherein she has stated that her parents and relatives have solemnized her marriage with the appellant No. 5, forcibly, without her consent and she does not want to live either with Ghulam Kadar or her parents and she intends to marry with the person of her own choice.
8. We would not like to comment upon the validity of the marriage, allegedly solemnized between the appellant No. 5 and proforma respondent No. 17

and if appellant No. 5 is aggrieved of any act or omission on part of the proforma respondent No. 17, he may avail the appropriate remedy as available under law. The statement of proforma respondent No. 17 cannot be quashed in this intra-court appeal merely at the behest of the appellants and also no direction can be issued for recording the statement of proforma respondent No. 17 afresh at the instance of the appellants only because in her earlier statement, she has not supported the claim of the appellants.

9. Upon consideration of the orders dated 31.01.2026 and 03.02.2026, passed by the learned Writ Court in WP(C) No. 129/2026, we do not find any plausible reason to show indulgence.
10. Accordingly, the instant appeal is found to be misconceived and the same is **dismissed** along with the connected applications.

(RAJNESH OSWAL)
JUDGE

(ARUN PALLI)
CHIEF JUSTICE

Jammu
18.02.2026
Sahil Padha

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