

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

WP(C) No. 1622/2026
CM No. 3628/2026

Shazia Nasreen and another

.....Appellant(s)Petitioner(s)

Through: Mr. Ahtsham Bhat, Advocate with
Mr. Mahmood A Shaad, Advocate

Vs

UT of J&K and others

..... Respondent(s)

Through: Ms. Nazia Fazal, Advocate vice
Mrs. Monika Kohli, Sr. AAG

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

ORDER
03.06.2026

1. Ms. Nazia Fazal, Advocate appearing vice Mrs. Monika Kohli, learned Sr.AAG accepts notice in the matter for respondent Nos. 1 to 3. The petitioners are also present in person.
2. It is the case of the petitioners that they are major and out of their own free will and choice, have married to each other with the execution of a Nikah Namah on 11.12.2025. That petitioner No. 1 who has no independent documentary age proof, was born on 17.06.2006 on the date when her mother died. A copy of her mother's death certificate has been placed on the record of the file. she has in support of her age proof also placed on record of the petition, a Xerox copy of the statement dated 02.05.2026 given by her before the Court of Sub Judge, Special Mobile Magistrate, Rajouri, in connection with the pending complaint, in which she has, *inter alia* stated to be of the age of 20 years. That the age of the petitioner No. 2, as per his Aadhaar Card is more than 26 years. That the respondents 4 to 7, who happen to be the relatives of the petitioner No. 1 being unhappy with their marriage have been giving threats to them of dire consequences, on account of which they feel threat to their life.

3. The petitioners have, accordingly, sought the issuance of a direction/writ in the nature of mandamus for commanding upon the official respondents 1 to 3 that they shall not subject them to any sort of unwarranted harassment and shall provide them protection. They have also sought the issuance of a direction upon the private respondents 4 to 7 that they shall not cause any undue interference into their matrimonial life.
4. The petitioners, who are present in person, admitted the contents of their petition. Their statements, were, got recorded by the learned Registrar Judicial of this Court in attestation of their petition.
5. It is submitted by the learned counsel for the petitioners that since the petitioners being major have contracted marriage out of their own free will and choice, as such the instant writ petition be disposed of at this threshold stage in view of the law laid down by the Hon'ble Supreme Court of India in case "***Lata Singh vs. State of UP and ors (2006) 5 SCC 475***"; and "***Arumugam Servia v. State of Tamil Nadu (2011) 6 SCC 405***" decided on **19th April 2011**, by passing the appropriate directions upon the respondents to safe guard the life and liberty of the petitioners, to prevent any sort of undue harassment to them, and also interference with their matrimonial life.
6. In the facts and circumstances of the case, this court is of the opinion that the instant matter can be disposed of at this threshold stage by passing of appropriate orders in accordance with the law.
7. Accordingly the instant petition is disposed of at this threshold stage with the following directions:

- i) The official respondents 1 to 3 shall ensure that no unjustified harassment is being caused to the petitioners and they shall be provided protection as and when asked for the same;
 - ii) The respondents 4 to 7 shall also desist from causing any illegal and unjustified harassment to the petitioners, so that their right to life and personal liberty is not interfered with.
8. However, in view of the law laid down by the Hon'ble Supreme Court of India in *Doly Rani vs. Manish Kumar Chanchal* [2024 Live Law (SC) 334 =2024 SCC Online SC 754] decided on 19.04.2024, this order shall not be construed as any opinion of this Court regarding the validity of alleged marriage.
9. **Disposed of** along with connected CM.

Jammu
03.06.2026
Diksha



(Mohd. Yousuf Wani)
Judge