

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

**WP(C) No. 1725/2026
CM No. 4562/2026**

Mehvish Rashid & Anr.

....Petitioner/Appellant(s)

Through :- Mr. Sheikh Manzoor Ahmad, Advocate.

V/s

UT of J&K & ors.

....Respondent(s)

Through :- None.

Coram: HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE

**ORDER
22.07.2026**

1. By way of the present petition filed under article 226 of the Constitution of India the petitioners seek a direction to the official respondents to provide them adequate protection to their life and personal liberty alleging that they have solemnized their marriage of their own free will, volition and consent and are facing threats and intimidation from their parents and relatives who are opposed to their marriage.
2. It is averred in the petition that both the petitioners are adults and competent to marry each other. It is further

stated that the marriage has been solemnized in accordance with Muslim Personal Law and a *Nikah Nama* dated **27.07.2026** evidencing the marriage has been placed on record. The petitioner No. 1 (girl) has also placed on record her age proof certificate, which *prima facie* establishes that she had attained the age of majority on the date of marriage. The petitioner No.2 is also stated to be an adult.

3. Learned counsel for the petitioners submits that despite the marriage having been solemnized voluntarily, the parents and relatives of the petitioners have expressed strong opposition to the alliance and have extended threats thereby creating a genuine apprehension to the life and liberty of the petitioners. It is, therefore, prayed that the official respondents be directed to ensure adequate protection to them.
4. There is nothing on record at this stage to suggest that either of the petitioners lacks the legal capacity to enter into the marriage or that the marriage was not a result of their free will and consent.
5. The right of two consenting adults to choose each other as life partners is an intrinsic part of the right to life and personal liberty guaranteed under article 21 of the Constitution of India. The choice of an adult in selecting his or her spouse cannot be curtailed merely because the marriage is not acceptable to the family members or

relatives. The constitutional courts are under an obligation to ensure that the life and liberty of citizens are adequately protected whenever a genuine apprehension of threat is brought to their notice.

6. The Hon'ble Supreme Court has consistently held that once two adults choose to marry or reside together out of their free will, no individual including family members has any right to interfere with such choice by resorting to threats, intimidation or violence. Any such conduct is contrary to the constitutional guarantee of life and personal liberty.
7. In **Lata Singh v. State of U.P.**, reported as **(2006) 5 SCC 475**, the Hon'ble Supreme Court unequivocally held that a major woman is free to marry anyone of her choice and directed the police authorities throughout the Country to ensure protection to such couples against threats and harassment.
8. It is, however, clarified that the observations made herein are only for the limited purpose of considering the prayer for protection of life and personal liberty of the petitioners.
9. Having regard to the facts and circumstances of the case and the material placed on record, this petition is disposed of with a direction to the respondent No. 2–Senior Superintendent of Police (SSP), Srinagar, to issue appropriate directions/instructions to respondent No. 3–

Station House Officer (SHO), Police Station Rajbagh, Srinagar, to ensure that the petitioners namely Mehvish Rashid and Nadeem Saif, are not subjected to any harassment, intimidation, threats, or physical harm at the hands of private respondents No. 4 to 8 or any other person acting at their behest.

- 10.** The petition stands **disposed of** in the above terms along with connected application.

(Rahul Bharti)
Judge

Srinagar
22.07.2026
Muzammil. Q

