

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

**WP(C) No. 2122/2026
CM No. 5750/2026**

Rutbah Zehra and Anr.

...Petitioner(s)

Through: Mr. Asif Nabi, Advocate

Vs.

UT of J&K and Ors.

...Respondent(s)

Through: Mr. Parvaiz Nazir, Advocate for R-4 to R-6

CORAM:

HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE

**ORDER
29.08.2026**

1. The petitioner No.1 and petitioner No.2 are present in person.

2. This Court has examined the petitioner No.1 as well the petitioner No.2 both of whom are saying that they have chosen to adopt each other as their life partners and to this effect have solemnized their

marriage, though in opposition to the will and wishes of the parents of both sides, and that their matrimonial bonding is likely to be disturbed by private respondents No.4 to 6 as well as the persons purportedly acting on their behalf.

3. In support of their assertion that the marriage has been solemnized with their free will and consent, the petitioners have placed on record a copy of the *Nikah Nama* dated **25.08.2026**. The petitioner No. 1 has also produced her Provisional Cum Character Certificate issued by the Govt. Girls Higher Secondary School, Wadwan, Budgam, which establishes her date of birth and confirms that she had attained the age of majority at the time of solemnization of the marriage. Petitioner No. 2 is also stated to be a major.

4. This Court has no reason to doubt the fact that the petitioners are acting in their proper senses and free mind and, therefore, are entitled to full protection under law.

5. In **Lata Singh v. State of U.P. & Another**, reported as **(2006) 5 SCC 475**, the Hon'ble Supreme

Court categorically held that two consenting adults are entitled to marry a person of their choice and that no individual or authority can interfere with such a decision. The Court further directed all administrative and police authorities across the Country to ensure that major individuals entering into inter-caste or inter-religious marriages are not subjected to threats, harassment, or violence and that strict legal action be taken against those responsible for such unlawful acts.

6. Article 144 of the Constitution of India mandates that all authorities, civil and judicial, shall act in aid of the Hon'ble Supreme Court. The law declared by the Supreme Court under Article 141 is binding upon all courts and authorities. Consequently, it is the bounden duty of the police and civil administration to ensure that adults who have lawfully chosen to marry of their own free will are afforded adequate protection and are not subjected to any form of harassment, intimidation, or violence.

7. In view of the aforesaid facts and the settled legal position, no further adjudication on the merits of the controversy is called for.

8. Accordingly, the present writ petition along with the connected application is **disposed of** with a direction to the respondent No.2-Senior Superintendent of Police (SSP), Budgam to issue appropriate directions/instructions to the respondent No.3-Station House Officer(SHO), Soibugh, Budgam to ensure that the petitioners, namely Rutbah Zehra and Aijaz Hussain Bhat, are not subjected to any harassment, intimidation, threats, or physical harm at the hands of respondents No. 4 to 6 or any other person acting at their behest.

9. Furthermore, the Station House Officer (SHO), Shaheed Gunj, Srinagar is also directed to ensure that the petitioners are not subjected to any kind of physical harassment or harm at the end of the respondents No. 4 to 6 in or around the High Court premises or by anybody acting on their behalf. Any harm, mental or physical inflicted upon the petitioners

in particular from the end of the respondents No. 4 to 6, shall render not only respondents No.4 to 6 liable to suffer Contempt of Court but also SHO Police Station, Shaheed Gunj who shall ensure that the petitioners leave the High Court premises safely without being interrupted or obstructed by private respondents No.4 to 6 or anybody acting on their behalf.

10. Disposed of.

11. A copy of this order be furnished to learned counsel for the petitioner under the seal and signature of Bench Secretary of this Court.



(RAHUL BHARTI)
JUDGE

SRINAGAR:

29.08.2026

Manzoor"