

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

Case:- WP(C) No. 428/2024
CM No. 1043/2024

1. **Shabir Ahmed, Age 37 years**
S/o Late Abdul Qayoom
R/o Village Bun Sultan, Miran Sahib
Tehsil R. S. Pora District Jammu.

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

2. **Munshad Bano, Age 27 years**
D/o Nazir Ahmed
R/o Village Asrar Abad, Sidhra
Tehsil and District Jammu.
(Wife of Petitioner No. 1)

Through: Mr. M. A. Bhat, Advocate.

Vs

1. **UT of J&K**
Through Principal Secretary to Government
Home Department Jammu/Srinagar
2. **Senior Superintendant of Police, District Jammu.**
3. **Station House Officer, Police Station R. S. Pora Jammu.**
4. **Station House Officer, Police Station Miran Sahib Jammu.**
5. **Safia Begum D/o Munir Ahmed**
6. **Sh. Munir Ahmed S/o Mohd. Shafi**
7. **Sh. Shabir Ahmed S/o Munir Ahmed**
8. **Sh. Jagdish Raj (Naib-Sarpanch S/o Sardari Lal)**
All residents of Village Tanda Simbal Morh, Tehsil R. S. Pora District Jammu.

..... Respondent(s)

Through: Mrs. Monika Kohli, Sr. AAG.

Coram: HON'BLE MR. JUSTICE JAVED IQBAL WANI, JUDGE

ORDER
(01.03.2024)

01. The petitioners seek a direction to official respondents to provide them the police protection as they apprehend danger to their lives from respondent nos. 5 to 8. It is submitted that the petitioners are major and out of their free will they got married. Copy of marriage agreement has been placed on record. They submit that since they

have contracted the marriage against the wishes of private respondents, as such, they are facing harassment at the hands of respondent nos. 5 to 8.

- 02.** Learned counsel for the petitioners refers to the decision of the Supreme Court in **Lata Singh v. State of U.P. and another 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.
- 03.** 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. However, it appears that the petitioners have not ever approached the official respondents for their indulgence in the matter for providing protection to them.
- 04.** 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. However, it appears that the petitioners have not ever approached the official respondents for their indulgence in the matter for providing protection to them.
- 05.** The writ petition is, accordingly, ***disposed of*** along with connected application.

(JAVED IQBAL WANI)
JUDGE

JAMMU
01.03.2024

Bunty