HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

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WP(C) No. 2811/2026
CM No. 6185/2026

Mohd Shafi and another

...Petitioner /Appellant(s)

Through: - Mr. Waseem Raja, Advocate

Vs.

Union Territory of J&K and others **...Respondent(s)**

Through: - Ms. Monika Kohli, Sr. AAG with
Ms. Sagira Jaffar, Advocate

CORAM: HON'BLE MR. JUSTICE SANJAY DHAR, JUDGE

ORDER
07.09.2026

1. In the instant petition, the petitioners seek a direction upon respondent Nos. 1 to 4 to provide them the police protection as they apprehend danger to their lives from respondent Nos. 5 to 10. It is submitted that the petitioners are major and have married out of their own free will. Copy of Nikah Nama dated 02.09.2026 and proof of petitioners' date of birth have been placed on record. They submit that since they have contracted the marriage against the wishes of respondent Nos. 5 to 10, as such, they are facing harassment at their hands.

2. Learned counsel for the petitioners refers to the decision of the Supreme Court in '**Lata Singh v. State of U.P and anr', 2006 (5) SCC 475,** and submits that in the 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.

3. I have heard the counsel for the parties and perused the record on the file.

4. Perusal of the documents annexed with the writ petition, prima facie, reveals that the petitioners are major and they have contracted the marriage according to Muslim Personal Law, rites and customs. Any person having attained the age of majority is entitled to contract the marriage as per his/her wishes and the police is duty bound to protect the life and liberty of such persons, if approached by the concerned parties. However, it appears that the petitioners have not approached the official respondents for their indulgence in the matter for providing protection to them.

5. Keeping in view the relief sought for, this petition is disposed of, at this stage itself, by providing that respondent Nos. 1 to 4 shall look into the grievance of the petitioners for providing them adequate security and to ensure that nobody interferes in married life of the petitioners, if the petitioners approach them. It is made clear that no opinion has been expressed with regard to the validity of their marriage, and the police is free to take a view on the basis of the available material and inquiry. If it is found that the parties are major and have married out of their own free will and consent, the necessary protection shall be extended to them.

6. The writ petition is disposed of.

(SANJAY DHAR)
JUDGE

Jammu:
07.09.2026
Karam Chand

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

KARAM CHAND
2026.09.07 19:14
I attest to the accuracy and
integrity of this document