Serial No. 26

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

WP(C) No. 3337/2026
CM No. 7415/2026

1. Shubeena Kounsar Age 33 years,
   D /o Gulzar Ahmed Khan,
   W/o Reyaz Ahmad Paswal,

2. Reyaz Ahmad Paswal Age 34 years,
   S/o Mohd Shafi Paswal,
   Both residents of Village Ladhoo, Tehsil Pampore
   District Pulwama,
   A/p Village Khanpur, Tehsil Nagrota District Jammu.
   R/o Ramgarh District Samba, J&K

.....Petitioners

Through: Mr. Zulkarnain Chowdhary, Advocate.

Vs

1. The Union Territory of Jammu and Kashmir
   through its Principal Secretary (Home),
   Civil Secretariat, Jammu.

2. The Senior Superintendent of Police, Anantnag.

3. The Station House Officer, Police Station, Srigufwara
   (Anantnag).

4. The Station House Officer, Police Station Nagrota
   (Jammu).

5. Gulzar Ahmed Khan, S/o Ghulam Hassan Khan.

6. Gulzara Akhtar, W/o Gulzar Ahmed Khan.

7. Arshad Hussain Khan, S/o Gulzar Ahmed Khan.

8. Mohd. Ashfaq Khan, S/o Gulzar Ahmed Khan.

9. Wazeer Ahmed Khan, S/o Ghulam Hassan Khan.

10. Shabir Ahmed Bimla S/o Gh. Mohd. Bimla.

11. Mohd. Rafiq Bimla S/o Gh. Mohd Bimla
    All residents of Sheikhpora, Tehsil Salar,
    District Anantnag.

..... Respondents

Through: Mrs. Monika Kohli, Sr. AAG.

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

ORDER
(21.10.2026)

1. The petitioners, both being of age of majority, have exercised their free will to enter into marital relationship and for that have earned displeasure of their respective families given inter-caste nature of their courtship and matrimony.

2. To lend confirmation to the fact of their marriage having been solemnized out of their free will and volition, the petitioners have put on record a Nikah Nama dated 13.10.2026.

3. Along with the writ petition, the petitioner No. 1's 10th Class Marks Card evidencing her date of birth is also annexed which confirms the fact that the petitioner No. 1 is and was major at the time of solemnizing marriage with the petitioner No. 2.

4. The petitioners are in hiding fearing about safety and security of their life and limb suffering wrong at the hands of respondents No. 5 to 11 who are said to be carrying hard feelings against the petitioners for their act of marrying each other against family wishes.

5. Keeping in view the mandate and dictate of the Hon'ble Supreme Court of India as laid down in case of **Lata Singh Vs. State of UP and Anr, 2006 (5) SCC 475** in terms whereof a direction has been set into effect for the Govt. Administration and Police Authorities throughout India to see to it that if any boy or girl who is a major undergoes inter-caste or inter-religious

marriage with a girl or boy who is also major, then the marrying individuals are not to be harassed by any one nor to be subjected to threats or acts of violence, and in case any such threat or harassment is confronted to be inflicted on the individuals then the persons responsible for holding out such threats/harassments are to be taken to task by instituting criminal proceedings by the Police against such persons and further stern action to be taken as provided by law.

6. Article 144 of the Constitution of India mandates all Authorities, Civil and Judicial, in the territory of India to act in aid of the Hon'ble Supreme Court.

7. Bearing aforesaid constitutional sanction in perspective and the directions of the Hon'ble Supreme Court of India set into place, it is a matter of duty for the Police Officials as well as officials of the concerned Civil Administration, irrespective of hierarchical position, to ensure that marrying individuals who are major and have chosen to become husband and wife out of their free will and volition are not to fear anybody causing any harm to their life and limb.

8. This writ petition, at inception stage, is **disposed of** with a direction to the respondent No. 2-Senior Superintendent of Police (SSP), Anantnag to ensure by issuing appropriate

directions to the respondent No. 3-Station House Officer (SHO), Police Station Srigufwara, District Anantnag that two petitioners, namely Shubeena Kounsar and Reyaz Ahmad Paswal are not subjected to any harassment/intimidation/threats at the hands of the respondents No. 5 to 11 or any other person acting at the behest and/or on behalf of the respondents No. 5 to 11. Further more, in case the Police Station, Ramgarh, Srigufwara or any other Police Station has registered any FIR at the instance of the respondents No. 5 to 11 against the petitioners or either of the two petitioners, then also no arrest of the petitioners shall be carried out or facilitated by the Police Station Srigufwara, Anantnag.

9. **Disposed of.**

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
सत्यमेव जयते

(RAHUL BHARTI)
JUDGE

JAMMU
21.10.2026
Sneha