Sr. No. 135

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

WP(C) No. 3536/2026

1. **Shahnaz Akhtar D/O Mohd Hafiz, Age 20 Years, R/O Ward No. 06, Near GPS Dhar, The Lohai Malhar, VTC Thall, PO Thall, Sub-District Billawar, District Kathua.**
2. **Tanvir Ahmed S/O Mushtaq Ahmed, Age 25 Years, R/O Khaned, Udhampur.**

…. Petitioner/Appellant(s)

Through:- Mr. Mahesh Bakshi, Advocate
Mr. Vishal Singh Thakur, Advocate

V/s

1. **The U.T. of Jammu and Kashmir through Director General of Police, J&K, Police Headquarters, Jammu.**
2. **The Senior Superintendent of Police (SSP), Kathua.**
3. **The Station House Officer, Police Station Billawar, District Kathua.**
4. **Mohd Hafiz Bhat S/O Rustum Ali, R/O Ward No. 06, Near GPS Dhar, The Lohai Malhar, VTC Thall, PO Thall, Sub-District Billawar, District Kathua (Father of Petitioner No. 1).**
5. **Mohd Arfan Bhat S/O Mohd Hafiz Bhat, R/O Ward No. 06, Near GPS Dhar, The Lohai Malhar, VTC Thall, PO Thall,**

…..Respondent(s)

Sub-District Billawar, District Kathua (Brother of Petitioner No. 1).

6. **Hassan Din S/O Mohd Hafiz Bhat, R/O Ward No. 06, Near GPS Dhar, The Lohai Malhar, VTC Thall, PO Thall, Sub-District Billawar, District Kathua (Brother of Petitioner No. 1).**
7. **Mohd Saleem Bhat S/O Rustum Ali, R/O Ward No. 06, Near GPS Dhar, The Lohai Malhar, VTC Thall, PO Thall, Sub-District Billawar, District Kathua (Uncle of Petitioner No. 1).**
8. **Ammena Begum W/O Mohd Saleem Bhat, R/O Ward No. 06, Near GPS Dhar, The Lohai Malhar, VTC Thall, PO Thall, Sub-District Billawar, District Kathua (Aunt of Petitioner No. 1).**
9. **Mohd Kabir Bhat S/O Rustum Ali, R/O Ward No. 06, Near GPS Dhar, The Lohai Malhar, VTC Thall, PO Thall, Sub-District Billawar, District Kathua (Uncle of Petitioner No. 1).**

Through:- Ms. Nazia Fazal, Advocate vice
Mrs. Monika Kohli, Sr. AAG

CORAM: HON'BLE MR. JUSTICE M.A. CHOWDHARY, JUDGE

ORDER

04.11.2026

1. Petitioners seek a direction to respondent Nos. 1 to 3 to provide them the police protection as they apprehend danger to their lives from respondent Nos. 4 to 9. It is submitted that the petitioners are major and have married

out of their own free will. Copies of Nikah Nama dated 03.05.2025 and proof of petitioners' date of birth has been placed on record. They submit that since they have solemnized the marriage against the wishes of respondent Nos. 4 and 5, 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. & Anr.", 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.

3. Perusal of the record annexed with the writ file reveals that petitioners are major and have contracted marriage on 03.05.2025, 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 are entitled to seek protection to their 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.

4. Keeping in view the relief sought for, this petition is disposed of, at this stage itself, by providing that respondent Nos. 1 to 3 shall look into the grievance of the petitioners for providing them adequate security and to ensure that nobody interferes in their married life, if the petitioners approach them.

5. 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** along with connected **CMs**.

(M.A. Chowdhary)
Judge

Jammu:
04.11.2026
Amit

