

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

Through Virtual mode

WP(C) No. 32/2026

Safeena Akhter and Anr.

..... Petitioner(s)

Through: -
Mr. Bhat Khursheed, Advocate

V/s

UT of J&K and Ors.

..... Respondent(s)

Through: -

CORAM:

Hon'ble Mr Justice Rahul Bharti, Judge.

ORDER

21.01.2026

1. The petitioners, both being of the age of majority, have exercised their free will to enter into marital relationship and for that have earned displeasure of their respective families.

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 Nikahnama dated 21.10.2025.

3. Along with the writ petition, the petitioner no. 1's Date of Birth Certificate 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. 7 and 8

who are to be carrying hard feelings against the petitioners for their act of marrying each other.

5. Keeping in view the mandate and dictate of the Hon'ble Supreme Court 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 the Country 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. Bearing this constitutional sanction in perspective and the directions of the Hon'ble Supreme Court 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.

7. This petition at the threshold is **disposed of** with a direction to the respondent No. 3- Senior Superintendent of Police (SSP), Kupwara and respondent No. 4- Superintendent of Police (SP), Handwara/Kupwara to

ensure by issuing appropriate directions to the respondent No. 5-Station House Officer (SHO), Police Station, Kupwara and to respondent No. 6-Station House Officer (SHO), Police Station, Qalamabad, Kupwara, respectively that the petitioners, namely, Safeena Akhter and Sajad Ahmad Lone, are not subjected to any harassment/intimidation/threats at the hands of the respondents No. 7 and 8 or any other person acting at the behest and/or on behalf of the respondents No. 7 and 8. Furthermore, in case the respondents No. 5 and 6 which are Police Stations abovementioned or any other Police Station has registered any FIR at the instance of the respondents No. 7 and 8 against the petitioners or either of the petitioners then also no arrest of the petitioners shall be carried out or facilitated by the SHO Police Station, Kupwara and/or SHO Police Station, Qamalabad Kupwara as the case may be.

8. **Disposed of.**

SRINAGAR:

21.01.2026

"Mohammad Yasin Dar"

