

IN THE HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

WP(C) No.195/2026 CM No.460/2026

MUKADAS JAN AND ANOTHER ...Petitioner/Appellant(s)

Through: Mr. Waseem Raja, Advocate.

Vs.

UT OF J&K AND ORS. ...Respondent(s)

Through: Mr. Mohsin Qadri, Sr. AAG with
Ms. Maha Majid, Assisting Counsel.

CORAM:

HON'BLE MR JUSTICE JAVED IQBAL WANI, JUDGE

ORDER

06.02.2026

Upon coming of the instant case for consideration, the Court examined the petitioner 1 and put certain questions pertaining to the Nikkah claimed to have been performed by petitioner 1 with petitioner 2. The petitioner 1 however gave wrong particulars qua the date of performance of Nikkah ceremony as also the place thereof. Besides, counsel who has attested the translated/transcribed Nikkah Nama annexed with the petition as Annexure-I has also given wrong details qua the date of the performance of Nikkah ceremony and has also withheld information regarding the place of Nikkah ceremony.

Further perusal of the affidavit claimed to have been sworn by the petitioner 1 appended with the petition also reflect contradictions in respect of the verifications as also the attestation by the Notary Public.

In view of aforesaid position obtaining in the matter, I am prima-facie of the considered view that the petitioner 1 required to be got examined by an expert doctor (psychiatrist/psychologist). Accordingly, Mr. Mohsin

Qadri, Sr. AAG, present in the Court is directed to ensure the evaluation of state of mind of the petitioner 1 by an expert and till such time also take necessary measures for handing over the custody of the petitioner 1 to the head of the Observation Home at Harwan, Srinagar, under the control of Social Welfare Department. Mr. Qadri shall also ensure that the Observation Home, Harwan, Srinagar, shall take due care of the petitioner 1 and also take necessary steps for having the petitioner 1 evaluated by an expert (psychiatrist/psychologist), as directed above.

List on 10.02.2026.

Mr. Qadri shall ensure the presence of the petitioner 1 before this Court on Tuesday as well as produce the evaluation report in respect of state of mind of the petitioner 1.

Original certificates produced by counsel for the petitioner 1 is retained with the files of this Court and Registry shall keep the same with the record.

A copy of this order be furnished to Mr. Mohsin Qadri, Sr. AAG, under the seal and signatures of Bench Secretary of this Court.

Mr. Waseem Raja, counsel for the petitioner who has attested the documents annexed with the petition shall remain present on the next date.

(JAVED IQBAL WANI)
JUDGE

SRINAGAR

06.02.2026

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