

Serial No.137

Regular cause list

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

WP(C) No.438/2026 CM No. 1149/2026

Nageena Akhter and Another

.....Petitioner(s)

Through:
Mr. Rafiq Ahmad, Adovcate.

Versus

Union Territory of J&K Through Commissioner/Secretary to Home and others.

.....Respondent(s)

Through:
Mr. Bikramdeep Singh, Dy.AG for R1 to R4.
Mr. Ashiq Hussain, Advocate for R5 to R8.

CORAM:

HON'BLE MS JUSTICE MOKSHA KHAJURIA KAZMI, JUDGE

ORDER

10.03.2026

1. While this court was hearing the instant petition filed by the petitioners seeking protection of their marriage stated to have been solemnized by the two against the wishes of their respective families, Mr. Sahil Ahmad Khan S/o Mohammad Maqbool Khan R/o Habber Lassipora Khag, Budgam, appeared before the Court and claimed that the petitioner No. 1 is already married to him and while the said marriage is subsisting she has approached this Court with the petition in hand claiming to have married the petitioner No. 2.
2. The Court had an occasion to hear the mother of petitioner No. 1 who also had come to depose that petitioner No. 1 is married already to the above said Sahil Ahmad Khan. However, the petitioner No. 1 contradicts such claim and maintains that she is only married to petitioner No. 2 and none else. Both the parties produced copy of

Nikahnama, reflecting the name of Petitioner No. 1 as the bride, in support of their respective contentions.

3. Faced with the above situation, the Court deems it proper to handover the custody of the petitioner No. 1, Nageena to the learned Registrar Judicial of this Court for sending her to Open Shelter for Girls, Nowgam to be lodged there till 23rd March, 2026, the date she would be produced again before this Court.
4. The SHO, Police Station, Khag, Budgam is directed to verify the credentials of the petitioner No. 1 vis-a-vis her alleged marriage with the above said Sahil Ahmad Khan and furnish his report to this Court by or before the next date of hearing.
5. For the time the credentials of petitioner No. 1 are verified and she remains lodged at Open Shelter For Girls, Nowgam, the respondents 2 and 3 are directed to provide protection to petitioner No. 2. Meanwhile, Mr. Bikradeep Singh, learned Dy. AG appearing on behalf of respondents 1 to 4 and Mr. Ashiq Hussain, learned counsel representing respondents 5 to 8, seeks and is granted two weeks time for filing reply.
6. Registry is directed to send a copy of this order to SHO, Police Station, Khag for compliance.
7. List on 23.03.2026