

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

...
WP(C) No.617/2026, CM No.1586/2026

Asima Nawaz and Another

.....Petitioner(s)

Through:

M/s Naveed Bukhtiyar and Zahid Afzal, Advocates.

Versus

Union Territory of J and K and Others

.....Respondent(s)

Through:

*Ms. Maha Majeed, Assisting Counsel vice Mr. Mohsin Qadiri, Sr. AAG
for R1 to R4.*

Mr. S. R. Hussain, Advocate for R5 and R6..

CORAM:

HON'BLE MS JUSTICE MOKSHA KHAJURIA KAZMI, JUDGE

ORDER

03.04.2026

1. Petitioners are stated to have solemnized marriage out of their volition against the wishes of their respective families, who are now bent upon to disturb their marital life. Apprehending arrest by the police concerned, at the instance of private respondents, the petitioners have approached this court to seek protection to their life and liberty in application of the ratio laid down by the Apex Court in case titled "Lata Singh v. State of U.P. (2006) 5 SCC 475, and Shakti Vahini v. Union of India and others AIR 2018 SC 1601".
2. Notice. Notice waived by Ms. Maha Majeed, Advocate appearing vice Mr. Mohsin Qadri, learned Sr. AAG on behalf of official respondents.
3. Heard learned counsel for the petitioners.

4. The documents placed on record by the petitioner do disclose that they have attained the age of majority and have entered into wedlock on 25.03.2026.
5. On the previous date of hearing the petitioner No. 1 was sent to the Shelter Home as the respondents 5 and 6 were on caveat and had resisted the petition of the petitioners. Today the matter was taken up in presence of the parties i.e; the petitioners and the respondents 5 and 6. The respondents 5 and 6 recorded their consent for the disposal of the petition, provided the Petitioner No. 2 deposits an amount of Rupees 5.00/- lakhs as a security for petitioner No. 1 in the fixed deposit return. The condition has been accepted by the Petitioner No. 2 who later submitted the original copy of FDR for an amount of Rs. 5.00/- lakhs issued by J&K High Court for a period of one year. Copy of the FDR is taken on record while the original has been handed over to the Petitioner No. 1.
6. Having regard to the ratio laid down by the Apex court in the judgment supra, coupled with the above stated position, the petition is allowed and the official respondents are directed not to interfere with the petitioners' marital life.
7. Disposed of.

(MOKSHA KHAJURIA KAZMI)
JUDGE

Srinagar
03.04.2026
"Shaista"