

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

**WP(C) No. 1661/2026
CM No.4348/2026**

Naziya Jan & Anr.

....Petitioner/Appellant(s)

Through :- M/s Mohammad Saleem,
Mohammad Younis, Advocates.

V/s

UT of J&K & ors.

....Respondent(s)

Through :- None.

Coram: HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE

**ORDER
14.07.2026**

1. The petitioners, both being of age of majority, have exercised their free will to enter into marital relationship and for that are said to 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 copy of "Nikha-Nama" dated **27.05.2026**.
3. Along with the writ petition, the petitioner No. 1's Registration Card issued by J&K State Board of School Education, Srinagar 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 who in turn is also major.

4. The petitioners are in hiding because they fear for their lives and physical safety. They apprehend that their respective family members, who are carrying hard feelings against the petitioners for their act of marrying each other against parental side approval may cause them harm.
3. 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 & Anr.** reported as **2006 (5) SCC 475** in terms whereof a direction has been set into effect for the government 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.
4. 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, do not live in fear or face harassment.

5. This petition at the threshold is **disposed of** alongwith connected application with a direction to the respondent No.3-Senior Superintendent of Police (SSP), Srinagar to ensure by issuing appropriate directions to the respondent No. 4-Station House Officer (SHO), Police Station, Baramulla and respondent No.5- Station House Officer (SHO), Police Station, Safakadal, Srinagar that the petitioners, namely Naziya Jan and Nasir Ahmad Matoo are not subjected to any harassment/intimidation/threats at the hands of the respondents, family members or any other person acting for and on their behalf.

(Rahul Bharti)
Judge

Srinagar
14.07.2026
Muzammil. Q

