Sr. No. 17

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

WP(C) No. 3153/2026

Rabia Kouser and another …. Petitioner/Appellant(s)

Through:- Mr. Mohd Owais Arif, Advocate vice
Mr. Ankit Sharma, Advocate

V/s

UT of J&K and others …..Respondent(s)

Through:- Ms. Nisha Kangotra, Advocate vice
Mrs. Monika Kohli, Sr. AAG

CORAM: HON'BLE MRS. JUSTICE SINDHU SHARMA, JUDGE

ORDER
05.10.2026

1. Petitioners seek a direction to respondent Nos. 1 to 4 to provide them the police protection, as they apprehend danger to their lives. It is submitted that the petitioners are major and have married out of their own free will. Copies of Marriage Agreement dated 24.09.2026, Nikah Nama dated 24.09.2026, and proof of petitioners' date of birth has been placed on record. They submit that since they have contracted the marriage against the wishes of their family members, they are facing harassment at their hands.

2. Learned counsel for the petitioners refers to the decision of the Supreme Court in ***Lata Singh v. State of U.P. and anr.; 2006 (5) SCC 475***, and submits that in absence of there being any legal impediment, the petitioners are entitled to marry according to their choice and the official respondents are duty bound to protect the life and liberty of the petitioners.

3. Both the petitioners are present in Court and are identified by their counsel.

4. Perusal of the record annexed with the writ file reveals that petitioners are major and have contracted marriage on 24.09.2026 according to Muslim Personal Law, Rites and Customs.

5. Any person having attained the age of majority is entitled to contract the marriage as per his/her wishes and the police department is duty bound to protect their life and liberty, if approached. However, it appears that the petitioners have not ever approached the official respondents for their indulgence in the matter for providing protection to them.

6. Keeping in view the relief sought for, this petition is disposed of, at this stage itself, by providing that respondent Nos. 1 to 4 shall look into the grievance of the petitioners for providing them adequate security and to ensure that nobody interferes in married life of the petitioners, if the petitioners approach them. It is made clear that no opinion has been expressed with regard to the validity of their marriage, and the police is free to take a view on the basis of the available material and inquiry. If it is found that the parties are major and have married out of their own free will and consent, the necessary protection shall be extended to them.

7. The writ petition is **disposed of** along with connected **CMs**.

(SINDHU SHARMA)
JUDGE

Jammu:
05.10.2026
Shafqat