

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU
(THROUGH VIRTUAL MODE)**

**WP(C) 2487/2023
CM 5889/2023**

- 1. Radha Rani, age 18 years
D/o Sh. Subash Singh
R/o Village Channu Chak, Bhalwal, Jammu.**
- 2. Neeraj Kumar, age 23 years
S/o Sh. Babu Ram
R/o Village Pakhian, Kangarial, Jammu.**

... Petitioner/Appellant(s)

Through: Mr. Koshal Parihar, Advocate.

V/s

- 1. Union Territory of Jammu & Kashmir
Through Principal Secretary Home Department, Civil Secretariat,
Jammu.**
- 2. Sr. Superintendent of Police, Jammu.**
- 3. Station House Officer, Police Station, Kanachak, Jammu.**
- 4. Subash Singh father of Petitioner no. 1 R/o Village Channu Chak,
Bhalwal, Jammu.**
- 5. Janak Singh S/o Dharam Singh
R/o Village Channu Chak, Bhalwal, Jammu.**

... Respondent(s)

Through: Mrs. Monika Kohli, Sr. AAG.

CORAM:

HON'BLE MR. JUSTICE JAVED IQBAL WANI, JUDGE

**ORDER
29.09.2023**

1. The petitioners seek a direction to official respondents to provide them the police protection as they apprehend danger to

their lives from respondents no. 4 and 5. It is submitted that the petitioners are major and out of their free will they got married. Copy of marriage certificate has been placed on record. They submit that since they have contracted the marriage against the wishes of private respondents, as such, they are facing harassment at the hands of respondent no. 4 and 5.

2. Learned counsel for the petitioners refers to the decision of the Supreme Court in **Lata Singh v. State of U.P. and another** **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. 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 the 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.

4. In this view of the matter, this petition is disposed of, at this stage, by providing that the official respondents shall look into the grievance of the petitioners for providing them adequate security and to ensure that nobody interferes in their married life, if they approach them. It is made clear that no opinion has been expressed with regard to the validity of their marriage.

5. The writ petition is, accordingly, disposed of along with connected application.

6. A copy of this order be provided to learned counsel for the petitioners under the seal and signature of the Bench Secretary.

(JAVED IQBAL WANI)
JUDGE

JAMMU
29.09.2023.
Bunty

