

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

WP(C) No. 3288/2023
CM No. 7970/2023

Shida Kouser and anr.

.....Appellant(s)/Petitioner(s)

Through: Mr. Arshad Hussain, Advocate

Vs

UT of J&K and ors.

..... Respondent(s)

Through: Ms. Monika Kohli, Sr. AAG

Coram: HON'BLE MR. JUSTICE PUNEET GUPTA, JUDGE

ORDER
30.12.2023

01. Issue notice to the official respondents. Ms. Monika Kohli, Sr. AAG accepts notice on their behalf.
02. Considered the plea of learned counsel for the petitioners, the petition can be disposed of at this stage without issuing notice to the private respondents.
03. The petitioners submit in the petition that they are legally wedded couple as they have entered into marriage of their own will on 27.12.2023 as per Muslim Law. The private respondents are causing interference in the matrimonial life of the petitioners without any justification. The petitioners are required to be protected from the harassment caused by the private respondents.
04. As the petitioners claim to be major and having entered into wedlock of their own volition, they are required to be protected against the harassment, if any caused by the private respondents. Learned counsel for the petitioners has referred to judgment passed by the Hon'ble

Supreme Court in writ petition (Crl) No. 028/2004 decided on 07.07.2006 titled *Lata Singh Vs. State of U.P.*

05. Accordingly, it is directed that in case the petitioners approach the official respondents with the representation, the official respondents shall assess the threat perception as projected by the petitioners and accordingly proceed in the matter. However, it is made clear that the court has not expressed any opinion on the validity of the marriage between the petitioners nor of threat or harassment allegations leveled against the private respondents.
06. The petition is *disposed of* along with connected CM(s).

(Puneet Gupta)
Judge

Jammu
30 .12.2023
Tarun

