

(2019) 09 J&K CK 0062

In the Jammu And Kashmir High Court

Case No : Writ Petition (C) No. 3181 Of 2019, CM No. 6593 Of 2019

Naheeda Kussar And Another

APPELLANT

Vs

State Of Jammu & Kashmir And Others

RESPONDENT

Date of Decision : 02-09-2019

Acts Referred:

Citation : (2019) 09 J&K CK 0062

Hon'ble Judges : Tashi Rabstan, J

Bench : Single Bench

Advocate : Sahil Bhardwaj

Final Decision : Disposed Of

Judgement

Tashi Rabstan, J

1. The parties are present along with their counsel and expressed urgency in the matter. In view of the urgency expressed by the parties and at request, the matter is taken up for final disposal.
2. Petitioners through the medium of instant petition, claim that they being major have contracted the marriage out of their free will and are living together as husband and wife, but, are apprehensive of being subjected to physical violence at the hands of respondent Nos. 5 to 8 as petitioner No. 1 has contracted the marriage against their wishes. They seek protection and security cover from the official respondents.
3. Heard and perused the file. From the perusal of record annexed with the writ petition, it reveals that petitioners are major and have contracted the marriage according to Muslim Law, rites and customs.
4. Keeping in view the prayer made in the writ petition, I deem it proper to dispose of the same at this stage itself by directing the official respondents to provide adequate security cover to the petitioners and act in accordance with the law laid down by the Apex Court in Lata Singh v. State of UP, (2006) 5 SCC 475.

However, it is made clear that if there is any FIR against the petitioners, in that eventuality, Police may go ahead with the investigation, of course, under rules.

5. Disposed of along with connected CM(s).