2025:HHC:26775

IN THE HIGH COURT OF HIMACHAL PRADESH SHIMLA

CRWP No.16 of 2025
Decided on: 07th August, 2025

Salman Khan and another ....Petitioners

Versus

State of H.P. and others ...Respondents

Coram
Hon'ble Mr. Justice G.S. Sandhawalia, Chief Justice
Hon'ble Mr. Justice Ranjan Sharma, Judge
Whether approved for reporting?[1]

For the Petitioners: Ms. Nancy Vashistha, Advocate.

For the respondents: Mr. Anup Rattan, Advocate General with Mr. Sidharth Jalta, Deputy Advocate General.

G.S. Sandhawalia, Chief Justice *(Oral)*

The present petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of mandamus for directing respondent No.2-Superintendent of Police, Sirmaur, H.P., to protect the life and personal liberty of the petitioners. Further directions are also sought directing respondents No.4 to 9 not to interfere in the personal life and liberty of the petitioners and to direct the

[1] *Whether reporters of Local Papers may be allowed to see the judgment?*

official respondents i.e. respondents No.2 and respondent No.3-SHO, Police Station, Nahan, Sirmaur, H.P., not to allow the private respondents to harass the petitioners.

2. The petition is based on the averments that the petitioners belong to the Muslim Community as such and were married on 30.07.2025 at Khizrabad, District Yamunanagar, Haryana, according to Islamic rites, out of their own free will.

3. Petitioner No.1 is stated to be earning his livelihood by running a barber shop, and the marriage certificate and rent agreement of the shop are annexed as Annexure P-3 and P-4. He is stated to be 20 years of age, as per the Aadhar Card (Annexure P-1), which reflects his date of birth as 19.08.2004, whereas petitioner No.2 is stated to be 17 years old, having been born on 01.07.2008, as per the Aadhar Card (Annexure P-2).

4. It has also been averred, that in view of the Principles of Mohammedan Law as such, the age of puberty of a Muslim female is 15 years, and if she marries a person of her choice with her own willingness and consent, after attaining 15 years of age (puberty), the marriage would not be void. It is

further averred that a representation dated 05.08.2025 (Annexure P-5) has been addressed as such to the official respondent to put-forth the threat perception as such.

5. Notice. Mr. Sidharth Jalta, Deputy Advocate General, appears and accepts notice on behalf of the respondents-State.

6. Keeping in view of the above and in view of the law laid down by the Apex Court in ***Lata Singh vs. State of U.P.***, **(2006) 5 SCC 475,** we are of the considered opinion that a case is made out for the petitioners for issuance of directions to the respondents No.1 & 2 to look into the representation (Annexure P-5) and take appropriate action, if so, required. Ordered accordingly.

7. Accordingly, the petition stands disposed of. Pending application(s), if any, also stand disposed of.

(G.S. Sandhawalia)
Chief Justice

07th August, 2025
(ankit)

(Ranjan Sharma)
Judge