

ORDER SHEET  
**IN THE HIGH COURT OF SINDH,**  
CIRCUIT COURT, HYDERABAD.

C.P.No.D- 1198 of 2014

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<b>DATE</b>	<b>ORDER WITH SIGNATURE OF JUDGE</b>
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09.07.2014.

Mr. Shafi Muhammad Memon, Advocate for petitioners a/w petitioners.  
Mr. Allah Bachayo Soomro, Additional A.G. a/w Inspector Muhammad Sulleman  
Bhutto SHO PS A-Section, Dadu.

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Order dated 25.06.2014 reflects that petitioner No.1 appeared before this Court and contended that she has contracted marriage with petitioner No.2 on her own free will and without any pressure or coercion; on account of this, her parents being enraged have lodged false FIR bearing Crime No.80/2013 u/s 365-B, 496-A PPC at Police Station A-Section, Dadu. As per direction of this Court, statement u/s 161 Cr.P.C of Mst. Yasmeen (alleged abductee) is recorded wherein she has categorically contended that aforesaid FIR is false and result of ulterior motive and she further apprehends that private persons of their clan in connivance with respondent No.7 are causing threats therefore, protection may be provided to her and her husband.

Learned A.A.G. contends that since the petitioner No.1 has recorded her statement thus in view of the statement, direction may be issued to the trial Court for decision in accordance with law.

Owing to the statement of petitioner No.1, who is alleged abductee, star witness of Crime No.80/2013, wherein she has categorically denied the assertions of FIR thus has negated the prosecution case with regard to her abduction. At this stage, it is also surfaced that I.O. has submitted challan and the case is pending before Ist Additional Sessions Judge, Dadu for adjudication. Accordingly, I.O is hereby directed to submit a fresh report before the trial Court in view of the statement dated 09.07.2014 recorded as per direction of this Court and the trial Court shall dispose of Sessions Case No.263/2013 as it is evident that further proceedings emanating from aforesaid FIR will be abuse of process of law and will not serve any purpose rather it will create harassment to the petitioners. It is made clear that the petitioners will not appear before the trial Court as they have appeared here and the statement of petitioner No.1 has been recorded. Moreover, the official respondents shall provide complete protection to the petitioners and assure that no harm is caused to them. Office shall send the copy of this order through fax to the trial Court for compliance and such compliance report shall be submitted to this Court within 15 days through Additional Registrar of this Court.

The petition stands disposed of in the above terms.

JUDGE

JUDGE

Tufail