

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

C.P. No.D-2630 of 2022

DATE	ORDER WITH SIGNATURE OF JUDGE(S)
------	----------------------------------

14.09.2022

Mr. Aijaz Ali Siyal advocate for petitioners along with petitioners.

Mr. Muhammad Ismail Bhutto, Addl. A.G Sindh and Mr. Nazar Muhammad Memon, Addl.P.G Sindh along with IO/SIP Nazir Ahmed Shoro C.P. Naseem Nagar, Inspector Sohail Sarwar Jamali on behalf of SSP Hyderabad.

Mr. Inderjeet advocate has filed vakalatnama on behalf of respondent No.7; taken on record.

Petitioner No.1 is present and reiterates that she has contracted marriage with petitioner No.2 out of her own freewill and choice and does not want to go back to her mother and brother present in court who, however, claim that she is minor aged about 13 years.

Be that as it may, she has stated before us that she was not abducted by petitioner No.2 and has contracted marriage with him out of her own freewill which means that section 365-B PPC is not attracted in the case, therefore, same is struck off. However, the IO is at liberty to continue investigation, get medical examination of petitioner No.1 conducted for determination of her age and if she turns out to be minor, submit report before the trial court in accordance with law, however, if she is proved to be major in the medical examination shall dispose of the case in the light of the statement of petitioner No.1. However, till submission of challan no one including petitioner No.2 shall be arrested in the present FIR.

Accordingly, this petition stands disposed in the terms as stated above.

JUDGE

JUDGE

Ali Haider