

**HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD**

C.P No.S-290 of 2025  
[Mst. Gul Wazeeran vs. Province of Sindh & Ors.]

Petitioner	Mst. Gul Wazeeran: <b>through Mr. Mansoor Ali Jatoi advocate</b>
Official respondents 1to3	Province of Sindh & Ors: <b>through Mr. Wali Muhammad Jamari AAG</b> a/w Inspector Nizamuddin Shaikh and Inspector Aamir Hussain
Respondents No.4&7	Mehboob Ali and Dilber: <b>through Mr. Zahid Hussain Hingoro advocate</b>
Respondents No.5,6&8	Wazeer, Zulfiqar and Papou: <b>through Mr. Mohsin Raza Gopang advocate</b>
Date of hearing	27.08.2025
Date of Order	27.08.2025

**ORDER**

**TASNEEM SULTANA, J:** Through this constitutional petition under Article 199 of the Constitution of the Islamic Republic of Pakistan, 1973, the petitioner Mst. Gul Wazeeran seeks recovery and production of her real brother Muhammad Moosa (detainee No.2) and sister-in-law Mst. Irum (detainee No.1), alleging their illegal confinement at the hands of private respondents No.4 to 8 within the jurisdiction of Police Station Khanoth, District Jamshoro.

2. The petitioner avers that detainee No.1, Mst. Irum contracted marriage with detainee No.2 Muhammad Moosa on 28-07-2025 of her free will. Upon learning of the said marriage, relatives became enraged and declared the couple *Karo Kari*, and threatened them with dire consequences. On 06-08-2025 the respondents allegedly armed with deadly weapons abducted and confined the couple. Despite approaches to the local police, no action was taken.

3. Today maternal uncle of Mst. Irum the alleged detainee No.1 produced her in Court through official respondents and state that whereabouts of alleged detainee No. 2 are not known to them (private respondents).The police officials of P.S Jamshoro, present in Court, were directed to record the statement of Mst. Irum so as to determine as to whether she has contracted free will marriage with Muhammad Moosa and whether she wishes to live with him. The learned counsel for the petitioner and counsel for private respondents are in agreement with this approach. Accordingly her statement was recorded by the police officials

present. She stated that she is making this statement on her own free will and without any kind of pressure or duress. She has further stated that she entered into free will marriage with Muhammad Moosa and she wishes to live with her husband, however, she shown apprehension towards danger to her life at the hands of private respondents, who are her close relatives, which include her father and maternal uncle, and seeks protection. She also states that the petitioner is the real sister of her husband and wants to go with her.

4. The respondents who are close relatives of Mst. Irum state that if she wishes to go with petitioner they have no objection and undertook that at no point of time they shall cause harassment to the Mst. Irum or her husband.

5. The marriage contracted by detainee No.1 with detainee No.2, being adults of sound mind, is legally valid and enforceable under Muslim law. Any attempt by relatives to annul such marriage by unlawful detention or coercion is unconstitutional, un-Islamic, and void and the detainees, having entered into a lawful marriage contract, cannot be deprived of their liberty by the private respondents merely on account of familial disapproval. Such private detention amounts to usurpation of the State's authority and is patently illegal. The petitioner being satisfied wishes not to press this petition to the extent of alleged detainee No.2, however, prays for legal protection.

6. In view of above instant petition stands disposed of. The SSP Jamshoro and SHO, P.S. Khanoth are directed to provide protection to petitioner and Mst. Irum and ensure that no harassment, coercion or undue influence is exercised upon them.

**JUDGE**

Sajjad Ali Jessar