

ORDER SHEET
IN THE HIGH COURT OF SINDH BENCH AT SUKKUR
Constitution Petition No. S-211 of 2025

DATE OF HEARING	ORDER WITH SIGNATURE OF JUDGE
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For hearing of main case.

ORDER
18.09.2025

Mr. Imtiaz Ali Abbasi, advocate for the petitioner.
Mr. Khalil Ahmed Maitlo, DPG for the State.

Mr. Shah Nawaz Waseer advocate files power on behalf of the respondent No.4, which is taken on record. Respondent No. 2 files statement along with certain documents, which is taken on record.

Learned counsel contends that petitioner had registered a case bearing crime No.74/2025 at Police Station Daharki for offences u/s 452, 365-B PPC, 3 TIP Act 2018 before approaching to this Court on 08.05.2025 regarding abduction of alleged detainee Mst. Zakia being his niece; after usual investigation report under Section 173 Cr.P.C has been submitted by the Investigating officer, showing alleged detainee not recovered in the case referred above, hence, finding no alternate remedy, the petitioner approached by invoking the constitutional jurisdiction of this Court.

Learned counsel for the respondent No. 4 as well as learned DPG for the State submits that if a criminal case has already been registered regarding abduction of Mst. Zakia, the alleged detainee and same is pending trial before the competent court of law; therefore, the instant petition is not maintainable.

Heard learned counsels for the respective parties and learned DPG for the State as well as perused the material available on record.

Admittedly, a case bearing Crime No.74/2025 for offence punishable u/s 452, 365-B PPC, 3 TIP Act 2018 has already been registered at Police Station Daharki by the petitioner regarding abduction of his niece Mst. Zakia (alleged abductee); therefore, he has to approach the concerned trial Court for the relief sought. Besides, the SSP Ghotki is required to ensure the recovery of alleged abductee and produce before competent court of law, where case is pending trial. Accordingly, instant Constitution Petition is dismissed being not maintainable.

JUDGE