

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD
Cr. Misc. Appln. No.S-732 of 2025

DATE	ORDER WITH SIGNATURE OF JUDGE(S)
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For order on office objection
For hearing of main case.

11.11.2025

Mr. Altaf Sachal Awan, Advocate for applicant a/w applicant
Ms. Sana Memon, Assistant Prosecutor General for the State
a/w Inspector Shahzad Qazi, the SHO P.S. Manjhand District
Jamshoro
Mr. Saeed Ahmed Janwari, Advocate files Vakalatnama on
behalf of respondent No.3

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This Criminal Miscellaneous Application disposes an
application filed U/S. 491 Cr.PC by Mst. Saira, the applicant seeking the
production of her one and half year old baby and another infant child.

The concerned Police authorities have produced the minors
through the father, who has handed them over to their mother in Court,
today.

Counsel for respondent No.3 submits that he has moved an
application before Ist. Guardian Court, Jamshoro, however, the same on
account of lack of detailed address of the opponent has not been registered
a docket number. He apprehends that now that this Court has handed over
the custody of the alleged minor infants to the mother who is allegedly a
gypsy, she may move anywhere with the children without any intimation to
the father and the proceedings before the Guardian Court will be frustrated
for lack of proper address of the mother.

Heard Counsel. Since the purpose of the lis was for the production of the alleged minors and such exercise has been concluded today in the above terms (on page-1 above) therefore, the instant application is disposed of with the observations that until proper application is decided by the Guardian Court, the custody of the minors will remain with their mother subject to the applicant-mother reporting to the concerned Police Station Jamshoro every 10 days, until the issue of custody is finally decided by the Guardian Judge. In the event that the minor children attendance is not recorded by the applicant-mother before the concerned Police Station in terms of this order, then the father is at liberty to move an application before the Guardian Court to seek interim relief as prayed which the Guardian Judge will decide on its own merit. In order to facilitate registration of the father's application before the Guardian Court, the applicant-mother has agreed today before me that so long as she is residing within the jurisdiction of concerned Police Station Jamshoro, service on her may be affected through the concerned Police Station, Jamshoro.

The Criminal Miscellaneous Application is disposed of in the above terms.

J U D G E

Tufail