

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR
Constitution Petition No. D- 2037 of 2025
Mst. Benazir Gopang & another Vs P.O Sindh & others)

Before;

Mr. Justice Adnan-ul-Karim Memon
Mr. Justice Abdul Hamid Bhurgri

Date of hearing and order:- 18.06.2026

None present for the petitioners.

Mr. Saeed Ahmed Wassan, Assistant Advocate General Sindh.

Mr. Mansoor Ahmed Shaikh, Deputy PG for the State, along with
SIP Khadim Hussain, Investigating Officer

ORDER

Adnan-ul-Karim Memon, J;- Petitioners, namely Mst. Benazir and Ahmed Khan have filed this Constitutional Petition under Article 199 of the Constitution of the Islamic Republic of Pakistan, 1973, seeking quashment of FIR No.308 of 2025 registered under Sections 365-B, 452 and 506/2 PPC at Police Station Kandiaro, District Naushahro Feroze.

2. The petitioners appeared before this Court and stated that Petitioner No.1, being sui juris, contracted marriage with Petitioner No.2 of her own free will and choice. They produced relevant documents in support thereof and contended that the FIR was lodged due to their unceremonious marriage. Petitioner No.1 also appeared before the Court and denied the allegations.

3. Today, learned Assistant A.G. submitted that, in view of the statement of Petitioner No.1 recorded under Section 164 Cr.P.C., the Investigating Officer has disposed of the case in "C" Class and submitted the report before the competent Magistrate.

4. Learned AAG submitted that since the matter has already been disposed of by the Investigating Officer, no further order is required from this Court.

5. We have considered the submissions as disclosed in the memo of the petition and examined the material placed on record by the police department.

6. Admittedly, Petitioner No.1 is a sui juris lady and has consistently maintained before the Investigating Officer as well as before this Court that she voluntarily contracted marriage with Petitioner No.2. Her statement recorded under Section 164 Cr.P.C. completely negates the essential ingredients of the offences alleged in the FIR. Furthermore, the Investigating Officer, after conducting an inquiry, has already submitted a cancellation report before the competent Magistrate. Since the matter is now pending before the competent forum for passing an appropriate order on the cancellation report, no further adjudication by this Court is required at this stage.

7. In these circumstances, the grievance raised through the instant petition has substantially been redressed, and the petition has become infructuous.

8. Accordingly, this Constitutional Petition is disposed of along with all pending applications.

9. Needless to observe that the petitioners shall not be subjected to unnecessary harassment in connection with the impugned FIR and any further action, if required, shall be taken strictly in accordance with law.

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