

# HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD

Crl. Misc: Application No.S-259 of 2026

DATE	ORDER WITH SIGNATURE OF JUDGE(S)
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1. For orders on office objection (s)
2. For hearing of main case

**18.05.2026**

Mr.Khalid Hussain Lakho, D.P for the State a/w ASI Abdul Hameed of PS Khudabad

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The report of service is received, which is taken on record. Mr.Ghulam Shabir Babar, Advocate files Vakalatnama on behalf of applicant-mother of the detenues, which is taken on record. Mr.Ghulam Murtaza Soomro, Advocate has also filed Vakalatnama on behalf of respondent No.5, the former husband of the applicant and father of the detenues, which is taken on record.

It transpires that on 12.05.2026 a protective bail was obtained from this Bench in Crl. B.A. No. S-567 of 2026, by one Zahid Hussain, whom the applicant-Mst.Lal Pari states is her second husband in connection with FIR No.76/2025. As per the information available on record, the complainant Muhammad Malook the Chacha of the detenues (respondent No.4 herein) of FIR No.76 of 2025 registered with P.S Khudabad District Dadu on 10.10.2025 at 2300 hours had alleged that the alleged two detenues were in the custody of said respondent No.4-Chacha as per information available in the said FIR at the material time. Additionally, as per Order dated 22.04.2026, passed in C.P No.D-2011/2025, available in the above protective bail matter, at least as of 09.04.2026, the status of the FIR was yet to be decided by the concerned Magistrate. Today, the applicant/mother and her first husband, Munawar son of Imam Bux Bhatti (respondent No.5), are present in Court. Respondent No.5 contends that the children are presently in his custody. Learned counsel for respondent No.5 further

submits that he has already filed a suit for Jactitation of Marriage. In the circumstances, as the dispute concerning the children is purely between the parents involving the custody of the detenues/children, no meaningful purpose will be served by continuing with the present Criminal Miscellaneous Application. The parties are, therefore, directed to move an appropriate application before the concerned Guardian and Wards Court for determination of custody and visitation rights. As and when such application is filed by the applicant-mother, it is expected that the same shall be decided expeditiously by the concerned Family Judge. Meanwhile, concerned S.H.O shall ensure that necessary legal protection is provided to the applicant before any legal forum, if necessary, as articulated in the Order dated 09.10.2025, passed by the IV-Additional Sessions Judge, Dadu.

The disposed of Crl. Bail Application No.S-567/2026 to be de-tagged from this lis.

Given the above, the Criminal Miscellaneous Application stands **disposed of** in above terms.

**JUDGE**

AHSAN K. ABRO