

HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

CP No.S-444 of 2026

Petitioner: Mst. Muntaha Talpur through Mr. Ghulam Ali Talpur, Advocate.

Respondents No.1to5: Province of Sindh and others through Mr. Allah Bachayo Soomro, Additional Advocate General Sindh along Inspector Muhammad Chungal on behalf of SSP Hyderabad and Inspector Dileejan PS Qasimabad Hyderabad.

Respondents No.6: Uzair Habib Talpur along with Mr. Khadim Hussain Soomro, Advocate.

Date of hearing: 24.08.2026.

Date of decision: 24.08.2026.

ORDER

RIAZAT ALI SAHAR, J: - Through this petition, the petitioner has prayed as under:-

- 1)** *Direct Respondents No. 1, to 5 to recover the minor detenu, Baby Rania Talpur, from the illegal custody/detention of Respondent No. 06 at his Karachi address (or anywhere else found) and produce her before this Honorable Court.*
- 2)** *Hand over the temporary/interim custody of the minor detenu to the Petitioner (mother) in the paramount interest of the welfare and safety of the minor.*
- 3)** *Direct Respondents No. 1 to 5 to provide complete police protection to the Petitioner and her family members against the illegal threats and harassment by Respondent No. 6 and his accomplices.*
- 4)** *Grant any other relief deemed just, equitable, and appropriate under the circumstances.*

2. Pursuant to notices issued by this Court, the respondent No.6 filed a copy of summon of Guardian & Ward No.2684/2026 i.e. Application under sections 7 & 10 of the G&W Act, 1890 for his appointment as Guardian of the minor namely baby Rania Talpur against the petitioner in the Court of learned XXVIth Civil & Family Judge, Karachi-East through statement.

3. The petitioner, respondent No. 6, along with the minor, Baby Rania Talpur, aged about 07 years, is present in person before the

Court. During the course of arguments, learned counsel for the respective parties, with the consent of their clients, agreed that the instant petition may be disposed of on the following terms:-

- a) That, as an interim arrangement and subject to the final determination of the custody proceedings, the custody of the minor, Baby Rania Talpur, shall remain with respondent No. 6/father until final adjudication of Guardian & Ward Case No. 2684 of 2026, pending before the learned XXVIth Civil & Family Judge, Karachi-East.
- b) That, the learned trial Court shall decide the question of **permanent custody** of the minor, strictly in accordance with law and keeping in view the welfare and best interests of the minor, preferably within a period of **three months** from the date of receipt of a copy of this order.
- c) That, as an interim visitation and custody arrangement, respondent No. 6/father shall hand over the custody of the minor to the petitioner/mother every **Friday** at **05:00 p.m.** at the residence of the petitioner, situated at Flat No. 315, Sahar Promenade, besides Bilawal House, Clifton, Block-3, Karachi. The petitioner/mother may be contacted at Cell Phone No. 0333-3419353.
- d) That, the petitioner/mother shall retain the custody of the minor during the intervening period and shall return the minor to respondent No. 6/father every **Sunday** at **05:00 p.m.** at the residence of respondent No. 6, situated at Flat No. 306, Block-14, Mohalla Gulistan-e-Johar, Karachi. Respondent No. 6/father may be contacted at Cell Phone No. 0334-3914261.
- e) That, the expenses incurred for transportation/pick and drop of the minor shall be borne by the petitioner/mother and respondent No.6/father respectively, for the respective journeys undertaken by them.
- f) That, during the subsistence of the aforesaid interim arrangement, neither the petitioner/mother nor respondent No.6/father shall remove or shift the custody of the minor outside the territorial limits of Karachi without obtaining prior permission of the learned trial Court.

- g)** That, the respondent No.6/father shall ensure the proper care, safety, education, health, and overall well-being of the minor and shall refrain from taking any action that may cause physical, emotional, or psychological harm to the minor.
 - h)** That, both parties shall cooperate with each other in implementing the above arrangement and shall not create any obstruction in the minor's access to either parent, subject to the terms of this order and the directions, if any, issued by the learned trial Court.
 - i)** **That, the above arrangement is purely interim in nature and shall not prejudice the rights or contentions of either party in the pending Guardian & Ward proceedings.** The question of permanent custody shall be determined independently by the learned trial Court in accordance with law and solely with due regard to the welfare and best interests of the minor.
- 4.** By consent, the petition stands **disposed of** in the above terms.

JUDGE