

ORDER SHEET
IN THE HIGH COURT OF SINDH,
CIRCUIT COURT, MIRPURKHAS
C.P. No.D-752 of 2025

DATE	ORDER WITH SIGNATURE OF JUDGE
------	-------------------------------

For orders on office objection.
For hearing of main case.

26.11.2025

Mr. Dileep Kumar Kolhi advocate for petitioners along with petitioners.

Mr. Muhammad Sharif Solangi, Assistant A.G. Sindh along with SIP Muhammad Arif I.O. PS Matli on behalf of SSP Badin.

Vakalatnama of Mr. Zahid Hussain advocate filed on behalf of respondent No.4 is taken on record. Comments of respondent No.2 are also taken on record.

Petitioners are present along with their counsel. Petitioner No.1 submits that earlier she was married to respondent No.4; however, she was divorced by respondent No.4. She further submits that she has contracted marriage with petitioner No.2 on account of freewill and wishes without any compulsion or coercion. She further submits that due to this un-ceremonial marriage the respondent No.4 has lodged FIR bearing crime No.260/2025 at PS Matli District Badin for the offences punishable under sections 365-B, 34 PPC against her husband and others. Learned counsel, therefore, seeks protection to the petitioners.

Learned counsel representing the private respondent No.4 raised objection to the maintainability of the petition on the premise that the petitioner lady has contracted second without pronouncement of divorce, therefore, second marriage cannot take place. He prayed for dismissal of the petition.

Today, the Investigating Officer present has recorded statement of Mst. Hunsa who has narrated that she has neither been kidnapped nor enticed to marry with petitioner No.2; however, she wants to live with her husband without any

disturbance from the private parties. I.O. present submits that in terms of the statement of the lady, the matter would be disposed of under “C” class and such report along with statement would be submitted before the Magistrate concerned for appropriate orders. So far as the question of marriage over marriage is concerned, this Court cannot indulge in such disputed questions, which is the function of the Family Court, if aggrieved party approaches.

In view of above, instant petition is **disposed of** with direction that the petitioners shall not be harassed by the private respondent and I.O. shall take bond in the sum of Rs.500,000/- from the private respondent to the effect that no harm is caused to the petitioners.

JUDGE

JUDGE

Abdullah Channa/PS