

*Order Sheet*  
IN THE HIGH COURT OF SINDH KARACHI  
CP No.S-1255 of 2025

Date	Order with signature(s) of Judge(s)
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For orders as to maintainability of petition

**25.11.2025**

Mr. Nisar Ahmed, advocate for the petitioner  
Adll. SHO/SIP Jafoor Khan of PS Saeedabad alongwith father of the minor  
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The record evidenced that petitioner had filed an application under Section 491 Cr.PC before the Court of learned District & Sessions Judge Karachi West, which was granted vide order dated 25.08.2025 and the petitioner was directed to furnish PR bond of Rs.500,000/- (Rupees Five Lac) as a surety that the custody of the minor shall not be removed from the jurisdiction of the said Court.

The petitioner furnished PR bonds on 03.09.2025 and the learned trial Court declined the application that the requisite PR bonds were not furnished on the very date. Therefore, the respondent was not at fault for the implementation of the order dated 25.08.2025, thus declined the custody of minor through order dated 24.10.2025.

Heard and perused the material available on record. Admittedly, custody of the minor was granted in favour of the petitioner and she was directed to furnish PR bonds which were furnished on 03.09.2025. Failure of the petitioner to furnish PR bonds on the very date did not render earlier order as nullity and the said order was intact and in the field until unless the same was disturbed by the trial Court. The learned trial Court failed to appreciate that the petitioner was a lay woman and furnished PR bonds before the Court late which was not a ground to deny her custody of minor.

In the above circumstances, the order dated 24.10.2025 passed by the learned trial Court is set aside. The parties are directed to appear before the learned trial Court on 1<sup>st</sup> December, 2025 @ 11:00 a.m. and the trial Court shall regulate custody of the minor in terms of order dated 25.08.2025.

This petition is ***disposed of*** in the above terms. Office to send a copy of this order by fax to the learned trial Court today.

JUDGE