

ORDER SHEET
IN THE HIGH COURT OF SINDH
CIRCUIT COURT MIRPURKHAS

Criminal Misc. Application No. S-236 of 2026

DATE	ORDER WITH SIGNATURE OF JUDGE
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- 1. For orders on M.A No.2240/2026.
- 2. For order on office objections.
- 3. For orders on M.A No.2241/ 2026.
- 4. For hearing of main case.

23.07.2026

Mr. Shahnawaz Laghari advocate for the applicant a/w applicant.
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- 1. Urgency granted.

The applicant has invoked the inherent supervisory jurisdiction of this Court, assailing the order dated 14.07.2026, whereby the learned Additional Sessions Judge-II, Umerkot, dismissed the applicant's application under Section 491, Cr.P.C., following the recording of the statement of the alleged detainee, Mst. Sakina, wife of the applicant. Learned counsel for the applicant candidly conceded that the statement of the alleged detainee was duly recorded by the learned trial court; however, he contended that the applicant was denied an opportunity to confer with her prior thereto, and that the statement so recorded was consequently unworthy of judicial credence.

A perusal of the impugned order reveals that, upon issuance of notice following institution of the Section 491, Cr.P.C. application, the alleged detainee, Mst. Sakina, was produced before the learned Court along with her minor daughter, Benazir, aged about five years. In her statement, she unequivocally

affirmed that she had contracted a love marriage with the applicant, from which union the said daughter was born. She further deposed, in unambiguous terms, that the applicant being her husband had subjected her to cruelty and had failed to discharge his obligation of maintenance towards her and their daughter, compelling her to withdraw to her parental home. Crucially, she affirmed, without equivocation, that she was under no unlawful restraint whatsoever, whether at the instance of her parents or otherwise, and voluntarily expressed her wish to reside with her father, whereupon the learned trial court set her at liberty.

Upon a considered examination of the record, this Court finds no infirmity, legal or otherwise, in the impugned order. The alleged detinue, being *sui juris* and possessed of the unfettered right to determine her own residence, was found residing with her father together with her daughter of her own free volition. In these circumstances, the instant application, being bereft of merit, is hereby dismissed *in limine*, together with the connected, listed application(s) pending consideration therein.

JUDGE