

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Criminal Miscellaneous Application No.S-138 of 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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29.05.2017.

Mr. Sikandar Ali Khaskheli, Advocate for applicant.
Mr. Shahid Ahmed Shaikh, A.P.G alongwith SIP Mehboob Alam on
behalf of SHOP.S Matli and SIP Maqbool Ahmed P.S Gulab Laghari.

Mr. Irfan Ahmed Qureshi advocate has filed his power on behalf of private respondents, which is taken on record. S.H.O P.S Matli has filed statement, which is taken on record.

On 26.05.2017 following order was passed:-

“It is stated by the learned Counsel for applicant that wife of the applicant namely Mst. Shumaila (detainee) is in wrongful confinement of respondents No.6 to 9, who are not allowing her to meet and see the applicant.

Let notice be issued to the respondents as well as A.P.G for 29.05.2017. In meantime SSP Badin is directed to recover and produce the alleged detainee before this Court for recording of her statement.”

In compliance of this Court’s order S.H.O P.S Matli has produced the alleged detainee Mst. Shumaila before this Court. She present Submits that she has already married with applicant Muhammad Nasir son of Muhammad Yaseen according to her own wish and in this connection she has also executed affidavit of free will dated 19.04.2017. She further submits that after execution of freewill she has entered into marriage with Muhammad Nasir through valid nikahnama dated 19.04.2017 and according to her, she wants to live with her husband. She further submits that she does not want to go with her father. Learned Counsel for private respondents submits that her parents want to secure the life and liberty of the alleged detainee.

Under the circumstances this Criminal Miscellaneous Application is disposed of . However, the detainee Mst. Shumaila is set at liberty to go with her husband, as according her, she is sui juris aged about 19 years. In this regard, the applicant is directed to execute Bond in the sum of Rs.100,000/- to the satisfaction of Additional Registrar of this Court for keeping safe and secure to Mst. Shumaila. Since Mst. Shumaila intends to go with her husband therefore under the circumstances, S.H.Os P.S Matli and Ghulab Laghari are directed to make sure that no harassment is caused to the applicant as well as Mst. Shumaila.

JUDGE