

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

C.P.No.D- 2514 of 2017

DATE

ORDER WITH SIGNATURE OF JUDGE

For katcha Peshi

25.01.2018.

Mr. Zahid Hussain Rajput Advocate for the petitioners
alongwith petitioners.

Mr. Muhammad Ismail Bhutto Asstt:A.G a/ongwith
PI Syed Manzoor Ali on behalf of SSP Hyderabad.

None present on behalf of private respondents.

It appears from the record that petitioner No.1 has contracted marriage with petitioner No.2 under valid Nikahnama available on record at page No.25 of the case file, after embracing Islam on her own freewill; that on account of this marriage, her parents have antagonized and they have lodged FIR No.40/2017 at police station City Hyderabad; she further contends that she has apprehension that private respondents would cause harm to them. Today the petitioners are present, they submit that they are living together happily as husband and wife but still they are feeling apprehension at the hands of private respondents that perhaps they in league of official respondents would arrest them in this false FIR.

2- Learned Asstt:A.G files comments of respondents No.4 & 5 which is taken on record, copy whereof is supplied to the counsel for the petitioners.

3- Since whole the story of the case resolves towards statement of Mst. Ume Salma (petitioner No.1), she submits that nobody has kidnapped or abducted her and she is living with her husband. Under the circumstances, the Investigating Officer of the case is directed to record the statement of Mst. Ume Salma (petitioner No.1) U/s 161 Cr.P.C in the office of Learned Asstt:A.G and submit the same before the learned Magistrate who is directed to pass an appropriate order in accordance with law.

4- Since Learned Asstt:A.G submits that neither official respondents have harassed the petitioners nor they intend to do so, therefore, this petition is disposed of with direction to the official respondents to act strictly in accordance with law. In the meanwhile no person nominated in the said FIR, shall be arrested till final order passed by the learned Magistrate.

Instant petition stands disposed of.

JUDGE

JUDGE

A.Rasheed