

ORDER SHEET

IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD

C.P.No.S-2135 of 2018.

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DATE

ORDER WITH SIGNATURE OF JUDGE

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

15.01.2019.

Mr. Bilawal Bajeer, Advocate for the petitioners.

Mr. Wali Muhammad Jamari, Assistant A.G. alongwith ASI Zaffar Iqbal of P.S Peerabad West Karachi.

Petitioner No.1 Mst. Uzma is present in Court alongwith her uncle Moza Khan.

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Learned AAG files comments of respondent No.6 alongwith copies of certain documents, taken on record, copy whereof provided to learned counsel for the petitioners.

Alongwith the said comments, statement under section 164 Cr.P.C. of petitioner No.1 has also been placed on record, in which she has stated that Ramzan (petitioner No.2) has acted without her consent, and that she intended to go with her uncle.

The counsel for the petitioners however, while drawing attention to the affidavit of free will and Nikahnama available at pages-13 and 15 of the Court file, states that the petitioners have contracted marriage by way of free will and after filing the instant petition, father of petitioner No.1 alleging abduction of petitioner No.1 at the hands of petitioner No.2 lodged F.I.R. bearing Crime No.424/2018 at P.S Peerabad Karachi on 26.11.2018.

ASI Zaffar Iqbal of P.S Peerabad Karachi West is present alongwith Petitioner No.1 and states that the petitioner No.2 has been arrested in the said crime. He further states that he already has furnished challan in the aforementioned crime and now the case is being tried by the Court of Judicial Magistrate-VI, Karachi West. Learned counsel for the petitioners in these circumstances, does not press the instant petition.

In view of above, the petition stands disposed of as not pressed. However, the petitioner No.2 would be at liberty to raise the defence that the parties have contracted free will marriage before the trial Court. Petitioner No.1 Mst. Uzma is at liberty to go as per her desire.

JUDGE

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