

Order Sheet  
**IN THE HIGH COURT OF SINDH,**  
**CIRCUIT COURT, HYDERABAD**

CP No. D- 1263 of 2018

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DATE

ORDER WITH SIGNATURE OF JUDGE

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09.08.2018

For orders on office objection  
For katcha peshi

Mr. Poonjo Ruplani, advocate along with petitioners  
Mr. Muhammad Ismail Bhutto, Addl.A.G.  
Mr. Shahzado Saleem Nahiyoon, DPG

Petitioners are present along with their counsel. Petitioner No.1, Mst. Zubeda has contracted marriage with petitioner No.2 Mehar on her own accord. Copy of `Nikahnama` and `affidavit of free will` are annexed along with this petition. Petitioner No.1 states that she has contracted marriage with petitioner No.2 against the wishes of her parents which has caused much annoyance to her father (respondent No.5) who has lodged FIR against her husband Mehar at police station Tando Bago being Crime No. 05 of 2018 under Section 365-B, 458 & 149 P.P.C.

Counsel for petitioners submits that petitioner No.2 apprehends his arrest in the aforesaid FIR by the police with ulterior motives to pressurize him to surrender before the parents of petitioner No.1.

I.O of the case present in court, has recorded the statement of star witness / petitioner No.1 namely Mst. Zubeda under Section 161 Cr.P.C. Copy of such statement is taken on record. Perusal of statement of Mst. Zubeda reveals that she does not want to go to her parents rather she wants to live with her husband under Nikahnama.

Under these circumstances, this petition stands disposed of with direction to the I.O of the case to submit copy of Statement under Section 161 Cr.P.C. of petitioner No.1 Mst. Zubeda to the learned trial court for passing appropriate order. Till then no harassment shall be caused to the petitioners and the persons nominated in the FIR. The trial Magistrate is also directed to pass appropriate order on the basis of 161 Cr.P.C. Statement of petitioner No.1.

JUDGE

JUDGE