

ORDER SHEET

IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD

C.P. No.D-2681 of 2019

DATE

ORDER WITH SIGNATURE OF JUDGE

1. For orders on office objection.
2. For orders on M.A-12327 of 2019.
3. For hearing of main case.

15.01.2020

Mr. Siraj Ahmed Khoso Advocate for Petitioners, alongwith the Petitioners.

Mr. Muhammad Ismail Bhutto, Additional Advocate General, Sindh alongwith I.O of the case ASI Wali Muhammad of P.S Tando Adam City.

Respondent No.2 present in present.

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Mr. Imdad Ali Dahri Advocate files Vakalatnama on behalf of Respondent No.2; whereas learned AAG files comments of Respondents No.10 and 11, same are taken on record; copy of the comments has been provided to learned counsel for Petitioners.

It is stated by learned counsel for the petitioners that petitioner No.1 being *sui juris* has contracted marriage with petitioner No.2 under valid Nikahnama; that on the same date viz 06.12.2019 petitioner No.1 has also executed an affidavit of freewill, stating therein that nobody has kidnapped / abducted her but due to this un-ceremonial marriage, private respondent No.2, who is father of petitioner No.1 became annoyed and lodged a false FIR against petitioner No.2 (Muhammad Salman) and his relatives being Crime No.286 of 2019, under sections 365-B, 34 PPC at Police Station Tando Adam City. He prays for quashment of said F.I.R.

The petitioners present in court while affirming the contention raised by their counsel, submit that they have married with each other and living as husband and wife happily but local police is harassing them. I.O. of the case present in court submits that neither he has harassed the petitioners nor intend to do so. We specifically asked question from Petitioner No.1 whether she wants to meet her father present in Court, she has denied.

Under these circumstances, I.O. of the case is directed to record the statement of petitioner No.1 Mst. Aisha in the office of Additional Registrar of this Court u/s 161 Cr.P.C and one copy be placed on the file of this case and another copy be submitted before the concerned court for passing appropriate orders.

Counsel for the petitioners is satisfied with this order and does not want to proceed further with this petition. However, it is made clear that I.O. shall not arrest Petitioner No.2 or any other person(s) nominated in the aforementioned F.I.R, till final orders passed by the Magistrate concerned.

The petition stands disposed of in the above terms alongwith listed application. I.O of the case present is directed to make sure that no harassment whatsoever is caused to the Petitioners by anybody else especially, the private respondents.

JUDGE

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