

ORDER SHEET

IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD

C.P. No.D-2757 of 2019

DATE

ORDER WITH SIGNATURE OF JUDGE

1. For orders on office objection.
2. For hearing of M.A-12708 of 2019 (Stay Application).
3. For hearing of main case.

15.01.2020

Mr. Muhammad Iqbal Qassar Advocate for Petitioners, alongwith the Petitioners.

Mr. Muhammad Ismail Bhutto, Additional Advocate General, Sindh alongwith SIP Muhammad Siddique SHO P.S Ninda District Badin.

Respondent No.5 present in present.

=

Mr. Poonjo Ruplani Advocate files Vakalatnama on behalf of Respondent No.5; whereas learned AAG files comments of Respondents No.2 and 3, 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 after embracing Islam has contracted marriage with petitioner No.2 on 15.12.2019 under valid Nikahnama; that on the same date 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.5, who is father of petitioner No.1 became annoyed and lodged a false FIR against petitioner No.2 (Zulfiqar Ali) and his relatives being Crime No.78 of 2019, under sections 365-B, 458, 34 PPC at Police Station Nindo. 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 intends to do so. We have specifically asked question from Petitioner No.1 whether she wants to meet her parents, 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. Janat 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.

In view of above, 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. SHO present is directed to make sure that there should be no harassment to the Petitioners.

JUDGE

JUDGE

S