

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

C.P No.D-2699 of 2019

DATE	ORDER WITH SIGNATURE OF JUDGE(s)
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1. For orders on office objection.
2. For orders on M.A No.12459/19.
3. For hearing of main case.

12-02-2020

Mr. Kanji Mal Meghwar, Advocate for petitioners.

Ms. Ramesha Oad, Asst. Prosecutor General.

Mr. Muhammad Ismail Bhutto, Addl. Advocate General, Sindh a/w
ASI Muhammad Misri PS Khai District Sanghar.

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Petitioner No.1 Sht. Chandi is present and submits that she being *sui juris* has contracted marriage with petitioner No.2 out of her own free will and accord without any pressure and coercion.

Learned counsel for the petitioners submits that due to the said un-ceremonial marriage, the father of petitioner No.1 became annoyed and lodged F.I.R bearing Crime No.61 of 2019 registered u/s 365-B, 34 PPC at PS Khai District Sanghar against petitioner No.2 and his relatives. Petitioners present submit that they are living happily together as husband & wife.

We have noted that according to the affidavit of free will, available at page 15 annexure-A of the petition, that petitioners have married with each other on 06.12.2019 in Mirpurkhas according to Hindu Customary Law. However, due to said un-ceremonial marriage, the father of petitioner No.1 is not happy and lodged aforesaid F.I.R. During the course of arguments, we have specifically asked question to petitioner No.1 whether she intends to go with her father, she replied in negative.

In view of the above, this petition is disposed of. However, petitioner No.1 Sht. Chandi being *sui juris* is allowed to go with her husband (petitioner

No.2). Investigating Officer of the case is directed to record the statement of petitioner No.1 today in the office of Additional Registrar of this Court and after placing its copy on record of this petition, submit the same before concerned Judicial Magistrate for passing an appropriate order as per law.

Petition stands disposed of in the above terms along with listed application[s].

JUDGE

JUDGE

Fahad Memon