

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

C.P. No.S-616 of 2020

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DATE	ORDER WITH SIGNATURE OF JUDGE
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For hearing of MA-620/21 (contempt application)

Date of hearing: 24.01.2022.

Date of decision:07.02.2022.

Petitioner is present in person.  
Mr. Karim Bux Rind advocate for private respondents.  
Mr. Ayaz Ali Rajpar Assistant A.G.

**ORDER.**

**SHAMASUDDIN ABBASI,J:-** Through this constitution petition, petitioner Mst. Shabana Khanzada seeks following reliefs:-

*(a) That this Hon'ble Court may be pleased to issue writ rule Nisi and issue order respondent No.6 for producing the detainee Abdul Rehman @ Sono s/o Ali Raza Khanzada.*

*(b) That this Hon'ble Court may be pleased to issue the direction to respondent No.4 to direct the respondents No.5 and 6 to registered the case and lodge the F.I.R. against the respondents No. 7 to 10.*

*(c) That this Hon'ble Court may be pleased to direct the respondent No.4 to direct the respondents No.5 and 6 to produce detainee Abdul Rehman @ Sono s/o Ali Raza Khanzada.*

*(d) That this Hon'ble Court may be pleased to issue the direction to the respondent No.4 to protect the life of petitioner and her family member from the respondents No.7 to 10.*

*(e ) That this Hon'ble Court may be pleased to grant any other relief which the Hon'ble Court deems fit and proper in view of the above facts to be granted in favour of the petitioner.*

2. Notices were issued to respondents as well as learned Addl. A.G and in compliance of notices, respondents have filed their comments. On 12.03.2021 detainee Abdul Rehman was produced by Additional SHO PS Sakrand and petition was disposed of in the following terms :-

"12.03.2021

*Petitioner is present in person.*

*Mr. Shahid Ahmed Shaikh DPG a/w SIP Sabir Hussain Gopang and ASI Muhammad Ameen Keerio of PS Sakrand.*

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1. *Matter is fixed on 16.03.2021 as date-by-Court; however, on account of recovery of alleged detainee petitioner has moved listed application for urgent hearing of instant petition, which is accordingly granted.*

*Detainee Abdul Rehman, on recovery, has been produced by Additional SHO PS Sakrand. He being sui juris is set free and he has joined the Petitioner who is her mother. Petitioner being satisfied with the recovery of her son is fair enough to say that she does not want to proceed further with this petition, it is disposed of accordingly.”*

Sd/-  
JUDGE

3. Thereafter contempt application (MA-620/21) has been filed by petitioner on 04.05.2021 for seeking contempt proceedings against SHO PS Sakrand in violation of order dated 12.03.2021. In support of this application, she has filed an affidavit, in paras 3 & 5 of affidavit, it reveals that petitioner went to SHO PS Sakrand for recording her statement u/s 154, Cr.P.C, but the said SHO has failed to comply the verbal direction of this Court for registration of F.I.R and matter was taken up before this Court on 04.06.2021. On 04.06.2021 notice was issued to SHO PS Sakrand with direction to bound down the private respondents No.7 to 10 to be present in Court on the next date of hearing and police was directed to provide due protection to the petitioner and her son and no F.I.R. be registered against her / her son without prior permission of this Court.

4. From the perusal of record, it appears that neither there were any directions of this Court for registration of F.I.R regarding abduction of son of the petitioner namely Abdul Rehman in the aforesaid order dated 12.03.2021 nor it does reflect that petitioner had paid any ransom amount for release of her son. Petitioner has pointed out that in terms of order dated 04.06.2021 this Court directed the police not to register the F.I.R / case against her son prior permission of this Court, but the petitioner has failed to produce any F.I.R. registered by police against the petitioner and her son even after passing of order dated 04.06.2021 by this Court she has not moved any application in violation of that order regarding registration of F.I.R. against her. Keeping in view the above

circumstances, I do not see any substance in MA-620/21 regarding defiance of Court's order made by SHO PS Sakrand and even instant application does not reflect the name of alleged contemnor who was holding the office of SHO PS Sakrand at the relevant time and it appears that MA-620/21 is not maintainable by not mentioning the name of alleged contemnor, therefore, in my view, this application being misconceived and devoid of merit is accordingly dismissed.

JUDGE

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