

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

Cr. Misc. Appln: No.S-752 of 2020

DATE

ORDER WITH SIGNATURE OF JUDGE

For orders on office objection
For hearing of main case

18.01.2021

Mr. Muhammad Suhail Jamali Advocate along with applicant.
Ms. Safa Hisbani, A.P.G. for the State along with Inspector Asif Mughal,
SHO PS B-Section, Shaheed Benazirabad and ASI Qurban Ali Rajper
on behalf of SHO PS Jam Dattar.

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In compliance of order dated 11.01.2021, alleged detainee Mst. Sania, who is the daughter of the applicant, has been produced by Inspector Asif Mughal, SHO PS B-Section, Shaheed Benazirabad. The above named SHO has also submitted compliance report dated 18.01.2021, which is taken on record. Mst. Sania states that she has contracted marriage with respondent No.5 Muhammad Awais with her own free will, and she is leading a happy married life with him. She further states that all the allegations made by the applicant in relation to her alleged detention are false and concocted. Her statement was recorded in Court by the above named SHO in the presence of Ms. Safa Hisbani, A.P.G, which is taken on record.

Mr. Hameedullah Dahri Advocate has filed power on behalf of respondents 5 and 6, which is taken on record. He has also placed on record a copy of the nikahnama in respect of the marriage of Mst. Sania and respondent No.5.

It is stated on behalf of the applicant that the age of Mst. Sania has been wrongly mentioned as 18 years in her nikahnama as her correct age is 16 years. Be that as it may, Mst. Sania has confirmed that she has contracted marriage with respondent No.5 with her own free will and she has not been illegally detained by respondent No.5. It has also been confirmed by her that the allegations of her illegal detention by private respondents are false.

In view of the above, this application, being not maintainable, is dismissed. However, if the applicant feels that Mst. Sania was under age at the time of her marriage, she may seek her remedy, if any, before the proper forum in accordance with law.

JUDGE

