

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

C.P. No.D- 92 of 2022

DATE	ORDER WITH SIGNATURE OF JUDGE(S)
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1. For orders on office objection.
2. For hearing of M.A-479 of 2022 (Stay application).
3. For hearing of main case.

07.04.2022

Miss Rehana Nazeer Gujjar, Advocate for the petitioners.

Mr. Muhammad Ismail Bhutto, Additional Advocate General, Sindh alongwith Inspector Manzoor Ali on behalf of SSP Hyderabad and SIP Hotchand SHO P.S Khokhrapar on behalf of SSP Umerkot.

Mr. Bhagwan Das Bheel, Advocate for respondents No.5 to 7.

Mr. Shahzado Saleem Nahyoon, Additional Prosecutor General, Sindh.
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Heard learned counsel for the respective parties.

At the outset, learned counsel for petitioners contends that petitioner No.1 being sui juris contracted marriage with petitioner No.2 on her free will and consent; being enraged father of petitioner No.1 namely Chetan has registered FIR bearing Crime No.14 of 2021 at Police Station Khokhrapar; thereafter, petitioner No.1 was kidnapped by private respondents; however, upon directions of this Court, she appeared on 09.03.2022 and categorically stated that she intends to join her father, accordingly, she was set at liberty to stay with her father. In similar way, police official got recorded 164 Cr.P.C. statement of the alleged abductee (petitioner No.1), wherein she stated that she has been abducted by Shero and she intends to go with her parents.

Under these circumstances, plea of learned counsel for the petitioners that petitioner No.1 contracted marriage with her own free will and without any pressure or coercion from any quarter and that her subsequent statement was recorded due to pressure of parents, requires evidence and being factual controversy cannot be resolved by this Court while exercising jurisdiction

under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973.

Accordingly, the petition is dismissed alongwith listed application.

JUDGE

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