ORDER SHEET IN THE HIGH COURT OF SINDH, KARACHI CP.No.S-519 of 2017

Date Order with signature of Judge

For hearing of main case.

15.05.2018

Mr. Habibullah, Advocate for petitioner alongwith petitioners. Mr. Zahoor Shah, DPG.

Through instant petition, the petitioners seek legal protection on account of contracting marriage with freewill and further directions that no FIR shall be registered against them; during pendency of petition it reveals that respondents have lodged FIR No. 09/2017, under Section 506/2, 504, 337-H2, 148, 149 PPC at P.S. Drigh, District Kamber-Shahdadkot against the petitioner No.2 (husband of petitioner No.1) and his family members. FIR reveals that petitioner No.2 alongwith his other family members on show of weapons issued threats to the complainant that in case complainant will not allow Mst. Rafia (Petitioner No.1) to marry with petitioner No.2, he would be killed. FIR shows date of occurrence as 03.03.2017, whereas Nikahnama appended with petition and affidavit of freewill marriage shows four days prior to that i.e. 27.02.2017. Petitioner No.1 who is also shown witness in FIR has categorically contended that this FIR is false and lodged on account of annoyance over the freewill marriage of the petitioners. Under these circumstances, this is a case of extra ordinary exceptions and no further purpose would be served if the case, emanating from referred FIR would be kept pending. Accordingly, in view of statement of the petitioner No.1, above said proceedings, emanating from above said FIR, are hereby quashed. This order shall be communicated to the trial court through concerned District & Sessions Judge.

Petition stands disposed of in the above terms alongwith all pending applications.

JUDGE

SAJID