

**IN THE HIGH COURT OF SINDH,  
CIRCUIT COURT, HYDERABAD**

CP No. S- 594 of 2022  
Mst. Laiba v. Province of Sindh and others

None present for petitioner

Mr. Allah Bachayo Soomro, Addl.A.G.

**Date of hearing and order: 26.8.2022**

**ORDER**

**ADNAN-UL-KARIM MEMON, J.** - Through instant petition, the petitioner has prayed for direction like mandamus directing the official as well as private respondents not to interfere in their peaceful matrimonial life. The petitioner claims to be adult and married with one Gul Muhammad out of her free will, and for that, they are being threatened and harassed.

3. Learned counsel for the petitioner submitted that the petitioner is major and has solemnized marriage with Gul Muhammad according to Muslim Rites and Custom.

4. Mr. Allah Bachayo Soomro, learned Additional. A.G. has categorically stated that no harassment shall be caused to the petitioner and the police officials shall act strictly under law. Learned counsel for the petitioner seeks disposal of the aforesaid petition in terms of the statement of learned AAG.

5. I have heard learned counsel for petitioner as well as learned AAG on the subject point of law.

6. I have noticed that the petitioner is not in attendance; and, as per memo of petition, due to alleged harassment caused by official respondents / police officials who in connivance with the private respondents are causing harassment to them. Be that as it may, since they simply seek protection against the police officials, who are allegedly extending serious threats of life to the petitioner and her husband; and learned AAG has candidly agreed that no harassment shall be caused to the petitioner and her husband; because of such statement, the petitioner is being treated as aggrieved person within the ambit of Article 199 of the Constitution of Islamic Republic of Pakistan.

7. Primarily, this is a free and democratic country, and once a person becomes major he or she can marry whosoever he / she likes; if the parents of the boy or girl

do not approve such inter-caste or inter-religious marriage the maximum they can do is they can cut off social relations with the son or the daughter, but they cannot give threats or commit or instigate for acts of violence and cannot harass the person who undergoes such inter-caste or inter-religious marriage. I, therefore, direct that the administration / police authorities will see, if any boy or girl who being major undergoes inter-caste or inter-religious marriage with a woman or man who is a major, the couple is neither harassed by anyone nor subjected to threats or acts of violence, and anyone who gives such threats or harasses or commits acts of violence either himself or at his instigation, is taken to task by instituting criminal proceedings by the police against such persons and further stern action is taken against such person(s) as provided by law. However, the above observation is without prejudice to the legal rights of the parties, if any, pending before the competent court of law.

8. In view of the above, by consent, the captioned petition is disposed of with direction that the petitioner is at liberty to live with her husband and no person shall be permitted to interfere in their peaceful living. In case any disturbance is caused in the peaceful living of the petitioner, she shall approach the concerned Senior Superintendent of Police or Superintendent of Police with a copy of this order, who shall provide immediate protection to the petitioner and her husband.

JUDGE