

**IN THE HIGH COURT OF SINDH AT KARACHI****Crl. Bail Application No. 2123 of 2023**

Applicant : Muhammad Saleem  
through M/s. Liaquat Ali Khan and Shafique  
Ahmed, Advocates

Respondent : The State  
through Mr. Muhammad Iqbal Awan, Addl.P.G.

Date of hearing : 6<sup>th</sup> December, 2023

**ORDER**

**Omar Sial, J:** Gul Naz and Mohammad Saleem eloped. The development upset Gul Naz's father, Irshad Ahmed, who lodged F.I.R. No. 388 of 2023 under section 365-B P.P.C. at the Shahrah-e-Faisal police station on 20.05.2023. Saleem was arrested. He applied for bail before the learned 7<sup>th</sup> Additional Sessions Judge, Karachi East, who on 15.09.2023, dismissed his application.

2. I have heard the learned counsel for the applicant and the learned Additional Prosecutor General. Despite several notices and the investigating officer being directed to produce the complainant, he did not appear.

3. The documents on record reflect that Gul Naz and Mohammad Saleem married on 12.05.2023. There is a copy of the nikahnama on record which prima facie documents the nikah and shows the girl as eighteen. Mohammad Saleem himself is also eighteen years of age. The marriage has been registered and a copy of the Marriage Registration Certificate on record shows that the girl is eighteen. The girl also appeared before the learned Additional Sessions Judge, Muzaffargarh and recorded a statement saying that she had married Mohammad Saleem to her wish. The complainant has sworn an affidavit that he does not want to contest these

proceedings further. In the absence of any evidence produced by the investigating officer that the girl is a minor or that the nikahnama is fake, or that the girl has been kidnapped, I have no ground left to deny the applicant bail.

4. Given the above, the applicant is admitted to post-arrest bail against a surety of Rs. 50,000 and a P.R. Bond for the same amount to the satisfaction of the learned trial court.

**JUDGE**