

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

Constt. Petition No.D-743 of 2024

DATE OF HEARING	ORDER WITH SIGNATURE OF JUDGE.
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1. For orders on O/objection at flag-A
2. For orders on M.A No.2827/24.

23.05.2024

Mr. Noor Ahmed Abbasi, Advocate for petitioners.
 Mr. Syed Sardar Ali Shah, Addl. Prosecutor General.
 Mr. Saeed Ahmed Wassan, AAG alongwith Saeed Ahmed Bhayo, DSP Pano Akil and ASI Dhani Bux on behalf of SSP Sukkur.

Mr. Shahid Hussain Gopang, Advocate files power on behalf of respondent No.5, taken on record.

On 17.05.2024 petitioners were present alongwith their counsel. Counsel for petitioners contended that petitioner No.1 was previously married with the respondent No.5, he had given her Talaq thereafter she has solemnized marriage with petitioner No.2 on 08th May, 2024 however, her previous husband has registered FIR bearing Crime No.37/2024 at Police Station, Ahmedpur u/s 365-B PPC against the petitioner No.2 and others. She submitted that it is nothing but bundle of lies as it has been got registered by respondent No.5 only to exert illegal pressure upon her so that she get separation from petitioner No.2 and submits that said FIR may be quashed.

Mr. Shahid Hussain Gopang, Advocate for respondent No.5 submits that petitioner No.1 in existence of her first marriage got second marriage therefore, she is not competent to enter into Nikah over Nikah. Since, objection raised by the counsel for respondent No.5 cannot be entertained to at this juncture as it requires evidence for which this

forum is not competent. However, the respondent No.5 is at liberty to file proper application before appropriate forum, if so advised and all issues can be taken care of by the family Court if aggrieved party approaches as this Court has limited scope under Article 199 of Islamic Republic of Pakistan, 1973 to dilate upon subject issue.

The I.O. present in Court recorded statement of petitioner No.1 and states that he would submit a report under Section 173, Cr.P.C, before the concerned Magistrate in the light of statement of petitioner No.1 for disposal of the case in accordance with law.

Learned counsel for petitioners being satisfied with the statement of the I.O. seeks disposal of this petition.

In view of above, the petition has served its purpose, therefore, stands disposed of.

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