

**ORDER SHEET
IN THE HIGH COURT OF SINDH
CIRCUIT COURT MIRPURKHAS**

Criminal Misc. Application No. S-458 of 2024

DATE	ORDER WITH SIGNATURE OF JUDGE
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For hearing of main case.

13.08.2024

Mr. Shahnawaz Ali Kunbhar advocate for applicant a/w applicant.

Mr. Asif Choudhry advocate for respondents No.4 & 5 a/w respondents No.4 & 5.

Mr. Dhani Bakhsh Mari Assistant P.G Sindh a/w Inspector Junaid Qamar SHO PS Mirwah Gorchani.

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ORDER

Adnan-ul-Karim Memon, J. Through this Criminal Miscellaneous Application, the applicant seeks directions to the police officials to produce detinue Mst allegedly confined by the parents of the detinue before this court and lastly to provide him protection under the law.

2. At the outset, the learned counsel for the applicant submits that the applicant entered into marriage with the detinue on 04.07.2024 subsequently, the respondents requested the applicant to surrender the custody of the detinue to them. Following the performance of a ritual marriage ceremony, the respondents purportedly returned the detinue to the applicant. However, the detinue was not handed over to the applicant and was instead confined by the respondents. The learned counsel further asserts that the applicant fears for the detinue's life, apprehending that if the detinue is not recovered from the respondent's unlawful detention, she will be in imminent danger. Additionally, the learned counsel argues that before the present application, the applicant had filed a petition before the learned Sessions Judge, Mirpurkhas, which was transferred to the learned Additional Sessions Judge-I, Mirpurkhas, where the application was summarily dismissed. Furthermore, the learned counsel contends that the Station House Officer (SHO) of P.S. Mirwah, through

deception, presented another woman as Mst. Hira, who then falsely identified herself and provided a statement under Section 164 Cr.P.C., constituting a fraudulent act, however, he seeks disposal of the Criminal Miscellaneous Application with the direction to the police to trace the detinue and ensure that he meets with her wife positively.

3. In compliance with the order dated 24.07.2024, Inspector Junaid Qamar SHO PS Mirwah Gorchani is present, along with a detailed report, memo, and certain documents. He submits that the detinue Hira had appeared before Civil Judge & Judicial Magistrate-II and got her statement recorded in connection with FIR bearing crime No.60/2024 of PS Mirwah Gorchani under Sections 365- B, 34 PPC, wherein the detinue categorically stated that she wanted to go with her mother. He further submits that in the statement of the abductee/alleged detinue, she did not state that she had contracted marriage with the applicant. He further submits that he had conducted a raid at various places but did not find the alleged detinue.

4. I have heard the learned counsel as well as learned APg and have also gone through the case file.

5. In view of the above statement of Inspector Junaid Qamar SHO PS Mirwah Gorchani, this Criminal Miscellaneous Application, is no more enforceable and is dismissed.

JUDGE

Jabbar