

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

Constitutional Petition No.S-206 of 2024
(Mst. Hakeema and another Vs. P.O Sindh and others)

DATE ORDER WITH SIGNATURE OF JUDGE

Date of hearing and order 01-10-2024

Mr. Roshan Ali Azeem advocate for the petitioners a/w petitioners.
Mr. Dhani Bakhsh Mari, Assistant P.G a/w Inspector Hussain Bux
SHO P.S Diplo.

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ORDER

Adnan-ul-Karim Memon, J. The petitioners Mst. Hakima and Rab Dino have invoked the jurisdiction of this Court under Article 199 of the Constitution of the Islamic Republic of Pakistan, seeking directions against official respondents to provide them legal protection.

2. Per learned counsel, petitioner No.1 contracted marriage with petitioner No.2 of her own free will under the law; however, official respondents at the instance of private respondents are causing harassment and are issuing threats of honor killing.

3. If this is a position of the case, primarily, there can be no denial to the fact that the 'event of the marriage' is always an event of honor of family particularly, when it is being solemnized without an attempt to keep it secret, therefore, all authorities, otherwise, are entitled to question the validity thereof, should strictly act keeping this aspect in mind and should not act in a manner prejudicial to the honor of such family or girl. This is a free and democratic country, and once a person becomes a major he or she can marry whosoever he/she likes; if the parents of the boy or girl do not approve of 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 is 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, arising out of the marriage of the couple, if any, pending before the competent court of law.

4. The police officer present in court states that no harassment has been caused to the petitioners nor do they intend to do so in the future. Learned A.P.G is of the same view. The police officer is warned to be careful in the future and if any sort of harassment is caused to the petitioners, he shall be dealt with under the law. He is directed to obtain P.R. Bond in the sum of Rs.500,000/= (Rupees Five Lacs only) each from the private respondents to the effect that no harassment shall be caused to the petitioners. Such bond shall be kept in the police station.

5. In view of the above, the instant petition is disposed of.

JUDGE