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ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA
C.P. No.D-780 of 2015.

DATE OF HEARING	ORDER WITH SIGNATURE OF HON'BLE JUDGE
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1. For Hearing of M.A.No.7440/2015
2. For Hearing of main case.


22.02.2018


Mr. Shafi Muhammad Chandio, Addl. A. G.

This petition has been filed for recovery of son of the petitioner, namely, Yousif allegedly taken by the police. In response to the notice of this petition, the statements have been filed by respondents No.1 & 2, wherein they have stated that the petitioner's said son is a proclaimed offender in the case bearing Crime No.26/2015 registered under section 302, 367-A, 377, 201, 34, PPC at Police Station Sijawal, which is pending currently before the competent Court of law at District Kamber Shahdadkot.

Mr. Abdul Rehman Bhutto, advocate who is holding brief on behalf of Mr. Ali Nawaz Ghanghro, who is counsel for the petitioner has argued that it is the responsibility of the police to produce the detainee. However, learned Addl. A. G has submitted that all the efforts have been made by the police before proclamation was issued for arrest of the said son of the petitioner but his whereabouts are not known as he has been absconded to some unknown place. He further submits that only to pressurize the police, this petition has been filed.

After hearing the parties and perusing the material, we are of the view that since the son of the petitioner, namely, Yousif has been declared a proclaimed offender by the trial Court in the above case and the police have specifically denied to have arrested him, this petition in the nature of habeas corpus cannot be maintained. We, however, direct the trial Court to continue the efforts for ^{the} arresting of the said son of the petitioner, ^{and} disposed of this petition in said terms.


Judge


Judge