

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Criminal Miscellaneous Application No.S-03 of 2025

DATE	ORDER WITH SIGNATURE OF JUDGE
------	-------------------------------

For orders on urgent application
For hearing of main case

30.01.2025

M/s Ghulam Farooque Abbasi and Farida Naz Abbasi Advocates for applicant.

Mr. Sajid Ali Soomro Advocate for Respondent No.9.

Mr. Irfan Ali Talpur APG along with DSP Muhammad Usman Laghari SDPO City Tando Allahyar, DSP Aijaz Ali Ghorri DSP Legal Tando Allahyar, Inspector Amjad Hussain Junejo SHO PS A-Section Tando Allahyar along with detainees baby Zainab Fatima and Zehra Fatima.

Report has been filed by SSP Tando Allahyar/ Respondent No.4 whereby the detainees namely baby Zainab Fatima and baby Zehra Fatima have been recovered safely from the custody of Respondent No.8 who according to the applicant is the real father of the minors. The minors are present in Court. Respondent No.8 is called absent. Learned Counsel Mr. Sajid Ali Soomro on behalf of Respondent No.9 is present and has pointed out towards the Order dated 23.01.2025 and states that the two persons who were earlier illegally detained by the police have now been released. On query to the learned counsel for the applicant as to the details with respect to the Guardianship Application filed before the learned Family Judge No.II Tando Allahyar, he states that the said Guardianship Application was dismissed since the applicant therein was not residing within the jurisdiction of learned Guardian Court. On query as to the

further details and complete copy of the Guardianship Application, the learned Counsel was unable to respond satisfactorily.

In view of the above, the Report is taken on record and custody of minors namely baby Zainab Fatima and Zehra Fatima is handed over to the mother namely Ms. Maheen who is present in Court and states that the marriage between herself and her husband has been dissolved by way of Khulla decreed by the learned Family Judge-IX Hyderabad in Family Suit No.1069 of 2024 on 10.10.2024. The minors are handed over to the mother in Court, however if any proceedings with respect to the minors are pending or initiated, the same shall be decided strictly on merits considering the welfare of the minors and without getting influenced by the present proceedings.

Application stands disposed of accordingly.

J U D G E

Ali Haider