

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

C.P.No.S- 457 of 2019
Criminal Miscellaneous Application No.S-249 of 2019

DATE

ORDER WITH SIGNATURE OF JUDGE

04.10.2019.

Mr. Bhagwandas Bheel, Advocate for respondent No.6 in C.P.No.S-457/2019.
Mr. Nazar Muhammad Memon, Additional Prosecutor General.
Mr. Allah Bachayo Soomro, Additional A.G. alongwith SIP Muhammad Bux
SHO Matli and Inspector Rasool Bux Thaheed SHO PS Pithoro.

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Both these matters have been filed by ex-husband and wife respectively. The wife namely Alwina has filed the petition against alleged harassment caused to her by Anthony, her ex-husband who is applicant in criminal miscellaneous application filed u/s 491 Cr.P.C. for recovery of the children living with his wife. No one is present on behalf of the petitioner Alwina however counsel for respondent Anthony and Anthony himself are present and have denied causing any harassment to the petitioner. Police officials present in court also submit that no any harassment has been caused to the petitioner but there is a dispute between the parties over custody of children.

In view of the above, this petition is disposed of on the statements of police officials that no harassment shall be caused to the petitioner.

In so far as criminal miscellaneous application No.249/2019 is concerned, SHO PS Matli submits that applicant`s children are residing with his ex-wife Alwina in Jameel Colony Matli and are not in illegal confinement and in fact on the last date of hearing were present before this court but for want of time the board was discharged. This fact has not been disputed by learned counsel for the applicant who submits that this criminal miscellaneous application may be disposed of leaving the applicant to avail a proper remedy in accordance with law as the whereabouts of children have become known.

Accordingly, in terms as stated above this criminal miscellaneous application is also disposed of.

JUDGE

Tufail/PA