

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI  
C.P. No.S-791 of 2024

Date	Order With Signature Of Judge
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Hearing of case  
For hg of main case  
08.08.2024.

Mr. Muneeb Ahmed Dhamra, advocate alongwith petitioners.  
Mr. Zulfiqar Ahmed Abbasi, advocate for respondent No. 6.  
M/s. Meeran Muhammad Shah and Saima Imdad Mangi, AAGs.  
SIP Zahid Jadoon of PS Mehmoodabad.

In compliance of order dated 03.07.2024, the minor namely Rohan has been produced by respondent No. 6, Muhammad Ali, who is his father and is a resident of District Chiniot, Punjab. It has transpired that even the petitioner is a resident of the same District in Punjab. And only for the sake of filing of this petition, she has shown her address at Karachi now.

At the direction of the Court, the minor son was given to mother but he cried continuously, although mother was given sufficient time to cajole and sooth him but to no avail. As the minor has been produced by the father, it is clear that he is not in illegal custody. Further, he does not appear to recognize his mother, which as per contention of counsel for respondent No. 6 is because the petitioner on her own had left behind the child at the house of respondent No. 6 three months ago. The respondent has shown his willingness to compromise with the petitioner and take her back to his home with the undertaking that he would look after her properly and would not give any opportunity of complaint to her but she is not ready to go with him insisting that she has filed the suit for Khula.

In any case, in view of above position, the Constitution Petition under Article 199 for writ of habeas corpus is not maintainable and is accordingly dismissed. The parties may approach the relevant Family Court for claiming or regulating custody of the minor.

JUDGE

HANIF