

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

C.P. No.D-599 of 2023

DATE ORDER WITH SIGNATURE OF JUDGE(S)

02.05.2023

Mr. Wajid Ali Khaskheli advocate for petitioners along with petitioners.

Mr. Muhammad Ismail Bhutto, Addl. A.G Sindh and Mr. Shahzad Saleem Nahiyoon, APG along with SIP Rehmatullah Memon SHO Wahipandhi and IO/ASI Muhammad Yameen Lund PS Wahipandhi.

Mr. Abdul Salam Chandio advocate has filed power on behalf of respondent No.5 who is also present in person.

Petitioner No.1 present submits that she has contracted marriage with petitioner No.2 out of her own freewill and choice. She has reiterated same facts before the IO who has recorded her statement and submitted a copy thereof. However, counsel for the complainant, who is her father, has submitted the documents including Birth Certificate issued by NADRA which shows that she is underage. In view of such position, the IO submits that as far as abduction of petitioner No.1 is concerned, it is not made out from her statement but as there are documents showing that she is underage, he would properly investigate the matter and submit the Challan under relevant provisions of Sindh Child Marriage Restraint, Rules 2013. Be that as it may, the IO shall not effect arrest in the said FIR till submission of the Challan before the trial court. This petition in the terms as above is disposed of accordingly.

JUDGE

JUDGE