

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

C.P. No.D-1372 of 2021

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on office objection.
2. For hearing of main case

27.10.2021

Mr. Nazir Raza Ghazi advocate for petitioners.

Mr. Fakir Muhammad Ali Saghar advocate for respondent No.4.

Mr. Muhammad Ismail Bhutto, Addl. A.G Sindh.

Mr. Shahid Ahmed Shaikh, D.P.G. along with SIP Abdul Rasheed SHO  
P.S Nagarparkar.

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Petitioners are present. Petitioner No.1 states that she has contracted marriage with petitioner No.2 out of her own freewill and choice and the present F.I.R. lodged by complainant Jadam, who is her brother, falsely states that she has been abducted or she is underage. She submits that she is adult but since belongs to countryside has not got her CNIC. SHO P.S. Nagarparkar submits that he has recorded statement of petitioner No.1 in which she has supported contents of her petition. Learned counsel for respondent No.4 / complainant has, however, objected and has submitted that she is underage. Learned Additional Prosecutor General Sindh and Additional Advocate General Sindh, however, have submitted that in the light of statement of petitioner No.1 ingredients of section 365-B P.P.C. and other provisions are not made out.

In the light of statement of petitioner, I.O. is directed to dispose of the case and submit such report before the trial court. However, in respect of controversy regarding age of petitioner No.1, respondent No.4 would be at liberty to avail remedy under the Sindh Child Marriage Restraint Act or any other law, as the case may be. Learned counsel for the petitioner is satisfied and seeks disposal of this petition in above terms.

Accordingly, the petition is disposed of in the terms as stated above.

JUDGE

JUDGE

Ali Haider