

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

C.P. No.D-714 of 2021

DATE	ORDER WITH SIGNATURE OF JUDGE
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10.11.2021

Mr. Muhammad Sabir Hussain advocate for petitioner.

Mr. Nazar Muhammad Memon, Addl.P.G Sindh.

Mr. Muhammad Ismail Bhutto, Addl. A.G Sindh along with Inspector Mazhar Mehdi, Police Line Tando Allahyar, SIP Fahad on behalf of SSP Tando Allahyar, SIP Dileejan Rind on behalf of DSP CIA Tando Allahyar and SIP Noor Muhammad on behalf of DIG Hyderabad.

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It is alleged that alleged detainees namely Muhammad Aslam and Mashooque Ali were taken away by SHO P.S A-Section Tando Allahyar along with other police officials from his house on 09.03.2021 and, this petition was filed for their recovery. However, meanwhile alleged detainee Muhammad Aslam has surfaced and shown involved in police encounter, an offence u/s 324 PPC. Regarding detainee No.2 Mashooque Ali, Inspector Mazhar Mehdi submits that he is absconder in Crime No. 131/2020 u/s 302 which is pending before Sessions Judge Tando Allahyar. When the hearing of that case was fixed on 13.03.2021, his counsel filed an application that nephew of the detainee had passed away and he had gone to his village to attend his funeral. However, in the petition filed thereafter on 20.04.2021 a different story has been narrated.

We have heard the parties and find no evidence that alleged detainee Mashooque Ali is missing. Since there is murder case pending against him, the petitioner may file application before the trial court to take efforts for arresting / procuring the attendance of alleged missing person.

The petition stands disposed of in the above terms.

JUDGE

JUDGE