

ORDER SHEET
IN THE HIGH COURT OF SINDH BENCH AT SUKKUR
C. P No. D – 2203 of 2024

Date of hearing	Order with signature of Judge
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Hearing of case (Priority)

- 1. For orders on office objection at flag ‘A’
- 2. For hearing of CMA No.8055/2024 (S/A)
- 3. For hearing of main case

24.12.2024

Mr. Badaruddin Indhar, Advocate along with petitioners
Agha Ather Ather Hussain Pathan, Assistant AG Sindh
Mr. Khalil Ahmed Metlo, Deputy PG for State
SIP Abdul Rehman Kakepoto, SHO PS Cantt: Sukkur
SIP Muzafar Hussain Abro, CP Naseem Nagar PS Qasimabad,
Hyderabad

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Pursuant to directions SIP Muzafar Hussain Abro of CP Naseem Nagar, Qasimabad Hyderabad / Investigating Officer of Crime No. 470 of 2024 Police Station Qasimabad Hyderabad has recorded statement of petitioner No.1, namely Mst. Rehana and placed copy of the same on record. Per her statement, petitioner No.1 Mst. Rehana has categorically denied the allegations contained in the impugned FIR as same are nothing but bundle of lies and she is passing happily marital life with petitioner No.2 and submits that respondent No.7/her Ex-husband Ali Mardan Jatoi has lodged a false FIR just to disturb her peaceful married life, because she has already been divorced by respondent No.7 on 18.07.2024 and thereafter she was residing with her parents. She has further stated that she being adult and *sui juris* has entered into nikkah with petitioner No.2, namely Nasir Ahmed according to her own free will and in consonance of injunctions of Islam. She, therefore, submits that she would prefer to go with her husband.

Mr. Yasir Hussain Malik, Advocate files his *vakalatnama* on behalf of respondent No.7, taken on record. He submits that petitioner No.1, namely Mst. Rehana was married with respondent No.7, namely Ali Mardan Jatoi, out of said wedlock, she has two issues namely baby Fatima aged about 14 years and Master Rehan aged 09 months; however, the custody of said children are with respondent No.7. He further submits that the alleged divorce deed shown by the petitioner No.1 is fake one and respondent No.7 has not divorced her. Since the children / issues as claimed by respondent No.7 are in his custody; however, he is at liberty

to seek declaration with regard to the custody of the children by filing appropriate application before the Court having jurisdictions.

In view of statement of petitioner No.1 Mst. Rehana, it appears that purpose of instant petition has been served. Learned counsel for petitioners seeks disposal of instant petition. **Order accordingly.** Investigating Officer SIP Muzafar Hussain Abro of CP Naseem Nagar, Qasimabad Hyderabad is directed to submit report under section 173 Cr.P.C before the Court having jurisdiction in the light of statement of petitioner Mst. Rehana within ten (10) days.

Judge

Judge

ARBROHI