

**THE HIGH COURT OF SINDH, CIRCUIT COURT,  
HYDERABAD**

C.P. No.D-2563 of 2022.

**Present**

**Mr. Justice Muhammad Iqbal Kalhoro**

**Mr. Justice Amjad Ali Sahito.**

Date of hearing & decision: 05.10.2022.

Mr. Ali Akbar Lakho advocate for petitioners.

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

Mr. Shawak Rathore, Deputy Prosecutor General.

SIP Jan Muhammad Pitafi P.S. Tando Ghulam Ali.

**ORDER**

MUHAMMAD IQBAL KALHORO, J:- Petitioners seek quashment of FIR bearing Crime No.97/2022, u/s 365-B, 458, 34 PPC, registered at PS Tando Ghulam Ali on the ground that they have contracted marriage out of free-will and choice. Today I.O. of the case is present and submits that petitioner No.1 was already married with Rajo/respondent No.6 and without getting any decree of termination of her marriage with him in terms of provisions of the Sindh Hindus Marriage (Amendment) Act, 2018 has contracted marriage with petitioner No.2. On the other hand, petitioners and their counsel submit that she has got divorce from her previous husband regarding which however, no proof has been filed. It has been informed by the IO that the investigation is going on, no proof of divorce or separation of petitioner No.1 from her previous husband has been found. In view thereof, no case for quashment of aforesaid FIR is made out. Consequently, the petition is dismissed.

JUDGE

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