

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

C.P No.D-478 of 2025

Order with signature of Judge(s)

Priority

1. For orders on office objection
2. For orders on CMA No.2588/2025 (Exemption Application)
3. For hearing of CMA No.2589/2025 (Stay Application)
4. For hearing of main case

21-05-2025

Petitioner Sameena Gul is present in person
Mr. R.D. Kalhoro, Assistant Attorney General
Mr. Nisar Ahmed Khan, Advocate for respondent Nos.2 and 3
Mr. Samiullah Soomro, Advocate for respondent No.4

Petitioner is victim and complainant in Crime No.78 of 2024 registered with P.S. Dhabeji under Sections 376, 506/2, 509, 452 & 34 PPC. This case after investigation was challaned in the Court of Special Judge Anti-Rape/Sessions Judge Thatta in which three accused including respondent No.4 were arraigned. Respondent No.4 was serving in the Military as a Sepoy and on the basis thereof learned DDP filed an application under Section 549 Cr.PC requesting the Court to bifurcate the case of respondent No.4 and send it to the Commanding Officer, V Corps Headquarter, Karachi for his military trial. The application was allowed and the case was sent. However, the Commanding Officer declined the request vide letter dated 09.01.2025, which letter has been challenged by the petitioner.

Learned counsel for respondent Nos.2 and 3 is present and submits that afterwards on application of the victim/petitioner the Commanding Officer has taken cognizance of the offence and is about to hold military trial against accused Yaseen Pathan.

Petitioner is present in person and is satisfied and therefore does not press this petition, which is accordingly disposed of in above terms.

JUDGE

JUDGE