

ORDER SHEET  
**IN THE HIGH COURT OF SINDH BENCH AT SUKKUR**  
**C. P. No. S – 235 of 2024**

Date of hearing	Order with signature of Judge
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**Application in disposed of case**

- 1. For orders on CMA No.411/2025 (151 CPC)
- 2. For hearing of CMA No.248/2025 (S/A)
- 3. For hearing of CMA No.249/2025 (Review)

**29.05.2025**

M/s Manzoor Hussain N. Larik and Waqar Ali Phulpoto, Advocate for petitioner along with petitioner.  
Mr. Israr Ahmed Shah, Advocate for respondents No.4, 5 & 6.  
Mr. Ghulam Abbas Kubar, Assistant Advocate General Sindh along with Shama Parveen, Deputy Director, Daul-Aman, Sukkur.

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**2 & 3.** CMA No.249/2025 has been filed by the applicants (respondents No.4 and 5) for review of the order dated 08.04.2025 on the grounds that earlier the petitioner filed an application bearing No.5291/2024 under Section 22-A & B, Cr.P.C. seeking registration of the FIR against the applicants, which was dismissed holding that respondent No.6, Farwa Batool, is adult / major and had entered into a valid Nikkah / freewill marriage with respondent No.4.

The review application itself mentions that while passing the order dated 13.11.2024 by the learned Judicial Magistrate-I, Khairpur, custody of Farwa Batool was handed over to his father-in-law (respondent No.5) as her husband was under threats. Under what capacity a father-in-law can take custody of his daughter-in-law is beyond understanding. That attitude and today’s position, when respondent No.4 is called absent, confirms that he is not willing to cater the responsibility of her wife (respondent No.6). Moreover, respondent No.6, who has been produced from Darul-Aman, Sukkur, is also not willing to reside with him.

With regard to claim of learned Counsel for the applicants that Farwa Batool was adult at the time of her marriage, record reflects that as per the Child Registration Certificate, issued by NADRA (available at

Page-15), she born on 19.08.2008, and if the same is considered at the time of her marriage solemnized on 03.02.2024, she was not 18 years old. As far as contention of learned Counsel for the applicants (respondents No.4 and 5), with regard to confinement of both the respondents without any FIR is concerned, the petitioner (mother of Farwa Batool) shall appear before the concerned SHO, who shall record her statement, and if a cognizable offence under the Sindh Child Marriages Restraint Act, 2013, is made out, then incorporate the same in the book under Section 154, Cr.P.C.

In view of the above, the review application is **disposed of** along with stay application with modification that respondents No.4 and 5 shall not be taken into custody anymore. However, if the FIR is registered against the applicants (respondents No.4 and 5), they may be at liberty to file their bail application(s) before the concerned Court, which shall decide the same on merit and in accordance with law. Till then, they are directed to furnish a P.R. Bond in the sum of Rs.1,00,000/- each, that they shall not harass the petitioner as well as respondent No.6, to the satisfaction of the Additional Registrar of this Court. Besides, the sureties already furnished by the applicant in terms of order dated 05.05.2025 are no more required.

1. Counsel for the petitioner waives notice of this application. He claims copy of the same, which the learned Counsel for respondent No.6 is directed to provide him during course of the day.

This CMA is adjourned to **9<sup>th</sup> June 2025**. However, this matter may not be treated as a part-heard matter. Respondent No.6 is sent back to the Darul-Aman with direction to produce before this Court on the next date hearing. Meanwhile, it is also directed that no hindrance in meeting of the mother with Farwa Batool (respondent No.6) be created.

J U D G E