

ORDER SHEET  
IN THE HIGH COURT OF SINDH CIRCUIT COURT LARKANA  
Const. Petition No. S- 290 of 2025  
Const. Petition No. S- 305 of 2025

DATE	ORDER WITH SIGNATURE OF JUDGE
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- 1. For orders on office objection flag ‘A’
- 2. For Hearing of main case.

10.10.2025

Mr. Syed Sultan Shah, Advocate for the petitioner in CP No. S-290/2025 and for respondent No. 6 in CP No.S- 305/2025.

Mr. Munawar Ali Abbasi, Asstt:AG. a/w SDPO Saad Jabbar, Bashir Ahmed Abro, PDSP on behalf of SSP Larkana and SIP Imran Ahmed Bhatti, SHO PS Waleed, Larkana.

Mr. Farooq Ahmed Gaad, Advocate for the petitioner in CP No. 305/2025 and for the respondents No. 8 to 11 and 13 in CP No S-290/2025.

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Through instant petition No. 290 of 2025, the petitioner Mst. Rukhsana Parveen has prayed as under:-

- a. *To direct the official respondents to recover the dead body from the hands of the private respondents and lodge the FIR against them in supervision of State/C.I.A*
- b. *To direct the Respondent No.1 to 6 to provide protection to the petitioner and family members of petitioner from the hands of private respondents.*
- c. *To direct the official respondents No. 5 to record the statement under section 154, Cr.P.C of the petitioner before this Hon’ble Court, as the petitioner have serious apprehension of kidnapping or killing by the hands of private respondents at the time of recording of the statement at native place*

2. Mst. Rukhsana Parveen in her petition stated that her sister Mst. Shahida Kanwal was taken from her house on 7<sup>th</sup> Muharram-ul-harram and thereafter her whereabouts were not known and when she came to meet her at Larkana, she found her missing and she came to know that Mst. Shahida Kanwal was done to death.

3. In petition No. 305/2025, Petitioner Muhammad Din prayed as under :-

- a) *That this Honourable Court may graciously be pleased to issue RULE NISI for the production of detainee namely Mst: Shahida Kanwal wife of petitioner and direct the official respondent No.2 to produce his wife before this honourable*

*Court and after recording her statement she may be set at liberty in accordance with law.*

4. Looking at the mysterious conduct of parties, reports were called from the SSP Larkana vide order dated 15.09.2025. On 06.10.2025, the report was filed by SDPO Civil Lines, Larkana Mr.Saad Jabbar wherein it transpired that Mst. Shahida Kanwal might have been murdered. The findings of the report furnished by SSP Larkana are reproduced for ease of reference.

**Enquiry Proceedings:**

From the enquiry, the following facts emerged.

- *It was also noted that Muhammad Din Jakhro filed Constitutional Petition No. S-305/2025 against the applicant, alleging that Mst. Rukhsana Parveen had unlawfully detained Mst. Shahida Kanwal (his wife).*
- *Mst. Shahida Kanwal was previously married to Ubaidullah. The marriage was dissolved through Khula by the Honorable Family Judge, Jacobabad*
- *She subsequently married Mohammad Din s/o Imamuddin Jakhro on 23.06.2025, with her maternal uncle Nazeer Hussain Jakhro, as a witness. A written agreement of marriage was executed (copy enclosed).*
- *CDR analysis confirms the presence of both Mohammad Din and Nazeer Hussain and victimized Mst. Shahida Kanwal @ Kanghair in Tehsil Jhatpat, District Jaffarabad, during the relevant period.*
- *The Circumstances raise serious doubts about the safety and whereabouts of Mst. Shahida Kanwal. The evidence suggests a strong possibility that she may have been murdered by Mohammad din Jakhro and his associates, who allegedly concealed her body in District Jaffarabad, Balochistan Province.*

3/- *That DSP /SDPO Civil Lines finalized the enquiry and recommended that according to statement of independent witness, audio voice recordings and other relevant documents he reached at the conclusion, the offence in-question was originated occurred under the jurisdiction of Police Station Civil Lines of district Jacobabad. Therefore, it is recommended /requested that may kindly order to SSP Jacobabad for registration of a case on the complaint of Mst. Rukhsana Jakhro according to verbatim. (PS copy of such enquiry is annexed herewith). This is submitted for favour of kind perusal sir."*

5. The SDPO Civil Lines present in Court had requested custody of Muhammad Din before the Court which was handed over to him for the purposes of investigation, vide order dated 06.10.2025..

6. During the course of investigation it transpired that Mst. Shahida Kanwal was taken to Quetta by Muhammad Din and Nazeer Hussain from the house of the petitioner Mst. Rukhsana at Jacobabad, thereafter her whereabouts were uncertain. Mst. Rukhsana appeared at Police Station Waleed, Larkana and recorded her FIR. The accused Muhammad Din and Nazeer Hussain were arrested and produced before the concerned Magistrate for the purposes of remand which was granted for a period of three days. From the enquiry report it transpires that Mst. Shahida Kanwal has been done to death. The SDPO Civil Lines has collected the CDR report and had secured the voice message between Muhammad Din Jakhro and Nazeer Hussain which transpired that Mst. Shahida Kanwal was killed and buried in district Jaffarabad, Balochistan. The SDPO Saad Jabbar and his team are appreciated for their efforts in unearthing a lethal offence against an innocent lady and it is excepted that further investigation will be conducted properly to surface real facts which are related to assassination of an innocent lady.

8. The SHO Civil Lines, Jacobabad/ respondent No. 3 in Const. Petition No. D- 305 of 2025 has filed his reply wherein he has undertaken to provide assistance to Larkana Police as and when required. It transpires that Mst. Shahida Kanwal was taken from the premises of Police Station, Civil Lines, Jacobabad and thereafter done to death, therefore, the place of incident for the purposes of this offence would be within the jurisdiction of Police Station Civil Lines, Jacobabad.

9. The Police Rules, 1934, provide a complete mechanism for cases where the investigating officer concludes that the report furnished its jurisdiction discloses the commission of an offence within the jurisdiction of another police station. For sake of reference police rule 25.3 being relevant is reproduced below:-

**25.3. Action when offence occurring in another police station is reported.** – *When the occurrence of a cognizable offence in another police station jurisdiction is reported, the fact that shall be recorded in the daily diary and information shall be sent to the officer-in-charge of the police station in the jurisdiction of which the offence was committed. Meanwhile, all possible lawful measures shall be taken to secure the arrest of the offender and the detection of the offence.*

10. Since the incident has taken place within the jurisdiction of Police Station Civil Lines, Jacobabad, therefore, the SHO Police Station Waleed, Larkana shall prepare a report under Rule 25 (3) of Police Rules 1934 and shall furnish the FIR along with investigation file to SSP Jacobabad for incorporation of the report in the daily diary register of Police Station Civil Lines, Jacobabad and deputation of responsible officer to conduct investigation into the matter.

11. Once the responsible officer is appointed as an I.O, he shall approach Court of Consumer Protection and Judicial Magistrate, Larkana for withdrawal of the FIR from his jurisdiction and presentation of the same before the Court at Jacobabad.

12. Since the arrested accused are under remand and the proceedings so narrated above may take some time, therefore, the current I.O shall approach the concerned Magistrate/Consumer Protection & J.M Larkana for extension of the remand until the time proceedings in between two districts is finalized and new I.O appears before the Court for handing over the custody of the accused persons under arrest to him.

13. It appears that the petitioner Muhammad Din in order to save his skin from the offence presented this petition and tried to play mockery with the process of law. It is transpired from the CDR and the communication made by him through his phone that the lady Shahida Kanwal was in his custody, when she allegedly breathed her last but in order to countenance the petition filed by Mst. Rukhsana he filed a separate petition leveling allegation against Mst.Rukhsana which reflected his desperation. The Court is of the view that on account of the registration of F.I.R by Mst.Rukhsana she might be harmed and deterred not to proceed further in the matter,

therefore, it would be appropriate that the police of the concerned district be put into vigil to provide security to petitioner Mst. Rukhsana.

14. It shall be the personal responsibility of the SSP Jacobabad to provide protection to Mst. Rukhsana so that no harm is caused to her and she feel free to proceed further in this matter, as intentionally, none from her family came forward to bring on notice the missing of Mst. Shahida Kanwal.

15. It was responsibility of her male family members to come to rescue Mst. Shahida Kanwal but they remained in deep slumber. Filing of petition by her may invite agonies and fierceness of her family against Mst. Rukhsana is least accepted that her male members may give her the same treatment as was meted out to Shahida Kanwal.

16. SSP Jacobabad shall call all the family members of Mst. Rukhsana through the in-charge of Women Complaint Cell to obtain a bond of Two million rupees from every male family member for the security of Mst. Rukhsana. In case any harm is caused to Mst. Rukhsana this amount shall be recoverable as the arrears of land revenue from them.

17. This Court appreciates the efforts of Mr. Saad Jabbar, Bashir Ahmed Abro, Imran Ahmed Bhatti and SSP Larkana who within shortest possible time made every possible effort and traced out not only the real culprits but real facts of the incident and it is expected that they will continue their efforts in future too, and will cooperate with Jacobabad Police. However, it will be the prime responsibility of Jacobabad Police to do all the needful things which will include the discovery of the dead body or the lady herself if she is found alive. SSP Jacobabad is directed to furnish the details of the final outcome of the investigation to this Court within one month's time through Additional Registrar of this Court. Petitions are disposed of in above terms.

Judge

