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ORDER-SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT LARKANA

Constt. Petition No. D- 1015 of 2022.

Date of hearing	Order with signature of Judge
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28.12.2022.

1. For orders on office objections.
2. For hearing of main case.

Mr. Muhammad Afzal Jagirani, Advocate for petitioners.
Mr. Nooruddin Mahessar, Advocate for respondents No.4 to 7.
Mr. Liaquat Ali Shar, Additional Advocate General alongwith I.O of the case.

Through instant petition, the petitioners have sought for providing legal protection and quashment of F.I.R No.49/2022 registered with P.S Mirpur Buriro of District Jacobabad, for offences punishable under Sections 393-A, 497-A, 506 (2), 148, 149 P.P.C.

Learned counsel for the petitioners submits that the petitioner No.1 Mst. Razia alias Raz Bibi was previously married to Allah Bux Brohi, the respondent No.4, who divorced her and thereafter she entered into freewill marriage with petitioner No.2 Abdul Ghafoor and annoying with such marriage the formal husband of petitioner No.1 has registered aforesaid F.I.R for the alleged abduction of petitioner No.1 by petitioner No.2 and others. Per learned counsel the F.I.R in question is nothing but bundle of lies and it has been registered by respondent No.4 Allah Bux just to put the petitioners in troubles and hardships. The petitioners are present in person; they affirm the contents of the petition.

On other hand learned counsel for private respondents support the contents of the F.I.R and submits that petitioner No.1 is wedded wife of the respondent No.4 and in existence of Nikah with respondent No.4, the petitioner No.1 has contracted marriage with petitioner No.2, which is against injunctions of Islam as well as law of the land. He prayed for dismissal of the petition.

The Investigation officer of the case recorded statement of petitioner No.1 Mst. Razia alias Raz Bibi and has placed on record photocopy of the same. In her statement, Mst. Razia has categorically stated that she has entered into marriage with petitioner No.2 Abdul Ghafoor on her own accord and

without any coercion; she is passing happy life with him and intends to back with her husband Abdul Ghafoor. She has further stated that the F.I.R with regard to her alleged abduction registered at P.S Mirpur Buriro is false.

Learned Addl. A.G. submits that the official respondents would act strictly in accordance with law and provide legal protection to the petitioners as and when required by them.

The star witness i.e. Mst. Razia, the petitioner No.1 has negated the contents of the F.I.R, registered for her abduction by respondent No.4. She has also negated the version of respondent No.4 in respect of the fact of having in marriage ties with him, as according to her, the respondent No.4 has already divorced her.

In view of the above, the investigation officer of the case is directed to file such summary Report to the concerned Magistrate in view of the statement of petitioner No.1 Mst. Razia alias Raz Bibi for disposal of the F.I.R in question. However, the respondent No.4 would be at liberty to approach relevant forum for redressal of his grievance, if any. The official respondents, particularly the SHO P.S Mirpur Buriro and SSP Jacobabad are directed protection to the petitioners as and when required.

At this juncture, the learned counsel for the petitioners submits that the persons of opposite party have gathered outside the Court premises, as such there is serious apprehension the lives of the petitioners, therefore, he prays for providing police protection to the petitioners. The I.O of the case present, is directed to provide protection to the petitioners and take them to their destination safely.

The petition stands disposed of in above terms.


Judge


Judge