

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA.
Cr. Misc. Appln. No. D- 10 of 2018.

Date _____ Order with signature of Hon'ble Judge _____

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

08.01.2019.

Mr. Abdul Sattar Janweri, advocate for the applicant.

Mr. Ali Anwar Sahar, advocate for the respondents
No.2, 4 to 6.


Mr. Sharafuddin Kanhar, A.P.G.

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Mr. Ali Anwar Sahar files reply to the criminal miscellaneous application on behalf of respondents No.2, 4, 5 and 6, which are taken on record, copy whereof supplied to the counsel for the applicant. The process issued to the alleged respondent No.3 has returned duly served which is taken on record. Respondent No.3 Ali Gul S/O Saban is present and submits his air tickets having CNIC No.43207-7594785-3. He further submits that he has no nexus with either party and he has been wrongly arrayed as respondent in the application.

Learned counsel for the applicant does not press the instant application to the extent of respondent No.3 Ali Gul. It further appears that statement of alleged detainee was recorded by learned Sessions Judge, Dadu however, on certain technicalities her custody was remanded to Darul Aman. It is settled law that one can not be detained against his/her wishes. the alleged detainee seems to be adult and sui juris and looking to her statement recorded before learned Sessions Judge, Dadu, impugned order is hereby set aside. Learned Sessions Judge, Dadu is hereby directed to call Mst. Guddi @ Seema from Darul Aman and after recording her fresh statement in presence of both the parties, decide the case/application afresh in view of her fresh statement.

The application stands disposed of.


JUDGE


JUDGE