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ORDER SHEET
IN THE HIGH COURT OF SINDH CIRCUIT COURT LARKANA
Crl. Misc. Application No. S- 287 of 2018

DATE _____ ORDER WITH SIGNATURE OF JUDGE _____

Hearing of Case

1. For orders on office objection 'A'

2. For Hearing of Main case _____

04.10.2019

Mr. Ahmed Hussain Khoso, Advocate for the applicant.

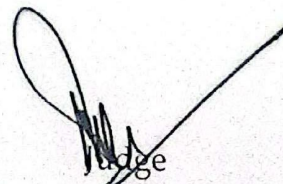
Mr. Ali Anwar Kandhro, Addl. PG for the State.

Through instant Criminal Misc. Application the applicant has challenged the order dated 31.08.2018 passed by learned Civil Judge & Judicial Magistrate-I, Kamber. Relevant portion whereof is reproduced as under:-

"During investigation, I.O has collected copy of Nikahnama of alleged abductee Mst. Aqsa dated 13.08.2018, which shows that alleged abductee has contracted lawful marriage with accused Muhammad Aqeel son of Muhammad Ramzan. I.O has also produced copy of application under section 22-AB CrPC filed by alleged abductee before Court of Honourable Sessions Judge Lahore, in which she stated that she left her house out of her own free will and contracted lawful marriage with accused Muhammad Aqeel and she was not abducted by anyone. She again appeared before Mr. Atif Khan learned Judicial Magistrate District Courts Lahore, where her statement under section 164 CrPC was recorded in which she repeated her version that she was not abducted by anyone but she had left her house out of her own free will and subsequently solemnized lawful marriage with accused Muhammad Aqeel, certified true copy of such statement is annexed with police papers. I.O has also recorded 161 CrPC statement of alleged abductee in which she has denied contents of FIR.

In the above situation, when star witness of prosecution viz alleged abductee Mst.Aqsa has denied commission of any offence, I do not find sufficient material for taking cognizance and subsequent trial of accused, as such, due to insufficiency of evidence, the summary in hand is approved under cancelled "C" class as recommended."

Heard learned counsel for the applicant. Learned counsel for the applicant has failed to point out any illegality, irregularity and /or any procedural defect in the impugned order, which could warrant interference by this Court in the present proceedings. Hence, the instant Crl. Misc. Application does not merit any consideration, which is accordingly dismissed.


Judge