

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
CP. No. S-602/2026
(Muhammad Umar Vs. SSP Karachi Central & others)

Date	Order with signature of Judge(s)
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- 1. For orders on office objections
- 2. For hearing of main case.

Date of hearing and order. **01-07-2026.**

M/s. Saad Ali & Gul Muhammad, advocates for the petitioner.
Ms. Seema Zaidi, APG
Ms. Nasurat Sultana, AAG, along with SIP Muhammad Aslam of P.S
Shahra-e-Noorjehan, Ch. M. Sadiq Gujjar DSP (Legal Branch) AIGP,
Karachi.

ORDER

Adnan-ul-Karim Memon, J The petitioner has filed the present constitutional petition under Article 199 of the Constitution seeking issuance of a writ of habeas corpus for the recovery of his wife, Mst. Salma, alleging that despite their free-will marriage solemnized on 04.11.2024, she had been taken away by her brother and was being unlawfully confined by her family.

- 2. Learned counsel for the petitioner submitted that the marriage was opposed by both families and, after the alleged detainee was taken to her parental home about a month earlier, the petitioner was denied access to her.
- 3. Accordingly, production of the alleged detainee was sought so that her statement regarding her free will could be recorded.
- 4. Pursuant to the Court's order dated 22.06.2026, notices were issued to the respondents.
- 5. Today, Mst. Salma has been produced before this Court by her brother. The police officials present have stated that neither they nor the private respondents shall cause any harassment to the couple.
- 6. Since the alleged detainee has been produced before this Court and there is no allegation or material to suggest that she is under any illegal restraint or unlawful confinement, the principal grievance raised in the instant constitutional petition no longer survives. The jurisdiction of this Court under Article 199 of the Constitution, in proceedings seeking a writ of habeas corpus, is confined to examining the legality of the alleged detention and securing the liberty of a person found to be unlawfully

confined. Once the alleged detainee is produced before the Court and her liberty stands restored, the object of the petition is achieved, and no further adjudication remains warranted in these proceedings.

7. The questions relating to the validity of the marriage, custody, guardianship, or any other civil or criminal rights of the parties are beyond the scope of the present habeas corpus jurisdiction and shall be determined by the competent forum, if so required, strictly in accordance with law.

8. Accordingly, the petition is disposed of, being infructuous, with the direction that the concerned police shall ensure that no harassment, intimidation or coercion is caused to either of the petitioners by any person and, if any threat to their life or liberty is reported, appropriate legal protection shall be extended to them in accordance with law. It is further observed that if any criminal or ancillary proceedings are pending or initiated concerning the parties, the same shall be dealt with independently by the competent Court without being influenced by the disposal of the present petition, and all questions of fact and law, including the issue of minority, if involved, shall be decided strictly based on the evidence available on record and in accordance with law.

J U D G E