

**IN THE HIGH COURT OF SINDH,
CIRCUIT COURT, HYDERABAD.
C.P.No.S-538 of 2013.**

DATE	ORDER WITH SIGNATURE OF JUDGE
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- 1. For Office objections.
- 2. For Katcha peshi.

27.08.014.

Mr. Ghulamulah Chang Advocate for the petitioner
Mr. Ashfaque Nabi Qazi Assistant A.G a/w SIP Abdul Hakeem on behalf of SSP
Hyd, ASI Manzoor Jamali on behalf of SHO Naseem Nagar.

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This constitutional petition is in the nature of Habeas Corps u/s 491 Cr.P.C for the production of detneue Shrimati Rehana alongwith her minor son Sahil. The record shows that earlier identical application u/s 491 Cr.P.C was filed by the father of the petitioner / father in law of the alleged detenue Rehana before learned IIIrd Additional Sessions Judge, Hyderabad, which was disposed of on 01.01.2013 with directions to the police to recover the abductee/ detenue in consequence to the FIR already registered regarding her abduction. Now this petition has been filed by husband of the alleged detenue Rehana. Learned counsel for the petitioner admits that the private respondents are father and brothers of the alleged detenue Shirimati Rehana. The police has already registered FIR No.219/2012 u/s 392, 395, 365, 363, 147,148,149 PPC at P.S. Naseem Nagar District Hyderabad and are taking due course before the relevant court of law and police has to recover the abductee and produce her before the trial court. Since the private respondents are father and brothers of the alleged detenue, it cannot be presumed that her custody with them is illegal; as such asking the police to recover the lady with her minor kid would not serve any purpose in the present petition. The police is however directed to take all measures in connection with the above crime No.219/2012 of P.s. Naseem Nagar and ensure expeditious trial of the case before the trial court.

In view of the above circumstances, this petition being devoid of merits is dismissed.

JUDGE

A.K