

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH AT KARACHI**  
**C.P No.D-3916 of 2026**  
**(Muhammad Ahmed Tauqir v Province of Sindh & others)**

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Date	Order With Signature Of Judge
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Before:-  
Mr. Justice Adnan-ul-Karim Memon  
Mr. Justice Adnan Iqbal Chaudhary

**Date of hearing and order:-09.07.2026**

M/s Syed Qambar Abbas Rizvi, Ms. Bushra Abbas, advocates for the petitioner.

Syed Ali Ahmed Zaidi, Addl.A.G  
Mr. Faheem Ahmed Panhwar DPG along with  
SI Faizan Ali of PS Darakhshan, PI Qurban  
on behalf of SSP South, Sajjid Gujjar DSP (Legal)

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**ORDER**

**Adnan-ul-Karim Memon, J** Petitioner seeks direction to the official respondents to ensure full protection and security of the petitioner and his son from any kind of harassment threats, or coercion of the Respondent Nos. 8,9 and 10 and also seeks direction to restrain the Respondents Nos. 8,9 and 10, with collusion of Respondent No.7 from harassing, threatening or attempting to illegally abduct or interfere with custody of the minor child without due course of law in any manner whatsoever if the private respondents has any grievance, then approach the proper forum.

2. Learned counsel for the petitioner submits that the petitioner, retired Lt. Commander of the Pakistan Navy, has filed the instant petition seeking protection of himself and his minor son. The petitioner submits that during his service he was awarded the Chief's Commendation Card for rendering exceptional intelligence services during the period of escalation with India. It is urged that the petitioner's marriage with Respondent No.8, namely Mst. Alina, was solemnized on 14.10.2014 according to Islamic injunctions, out of which a minor son, namely Muhammad Ibrahim Zahoor, was born on 15.09.2017. Initially, the matrimonial relationship remained cordial; however, due to differences between the parties, the marriage ended in divorce. After the matrimonial dispute, the minor remained with Respondent No.8, but owing to her alleged neglect, unstable domestic circumstances, and lack of proper care, the welfare and well-being of the minor were adversely affected. The petitioner's counsel further submits that after divorce, Respondent No.8 contracted a second marriage with Respondent No.9, namely Ahmer Younus Butt, on 12.12.2025. According to the petitioner, the changed family environment and lack of personal supervision by Respondent No.8 negatively affected the minor's emotional, educational, and moral development. It is submitted that the minor's schooling was also changed from a reputed institution to a local school, compromising his educational future. The petitioner's counsel states that due to the

deteriorating circumstances, the minor voluntarily came to reside with him and expressed his desire to remain in his father's custody. The petitioner asserts that no force or coercion was used and that the minor is living with him willingly in a safe and secure environment. The petitioner, being financially stable, physically fit, and a retired armed forces officer, is fully capable of providing the minor with proper education, healthcare, emotional support, and upbringing. The petitioner alleges that Respondents No.8, 9 and 10 have been continuously threatening and harassing him and have expressed intentions to forcibly take away the minor child from outside his school situated at DHA Phase-VIII, Karachi, allegedly with the support of Respondent No.7. It is added that due to such threats, the petitioner and his minor son are under constant fear and mental distress. It is further submitted that the petitioner has already filed Guardianship Application No.2547/2026 before the Family Court East, Karachi, seeking lawful guardianship of the minor, which is pending adjudication. The petitioner also approached the concerned police authorities through applications dated 13.06.2026 seeking protection and legal action against the private respondents; however, no effective action has been taken. The petitioner's counsel submits that the inaction of the official respondents is illegal, unlawful, and violative of his fundamental rights guaranteed under Articles 4, 9, and 14 of the Constitution of the Islamic Republic of Pakistan, 1973. In view of the above, he prayed that this Court may direct the official respondents to act strictly in accordance with law, provide necessary protection and security to the petitioner and his minor son, restrain the private respondents from harassing, threatening, or interfering with the custody of the minor except through due process of law, and grant any other relief deemed just and proper in the circumstances.

3. Learned AAG and APG, assisted by the Station House Officer, Darakhshan Police Station, have submitted a compliance report the school mentioned therein, situated at DHA Phase-VIII, Karachi, does not fall within the territorial jurisdiction of Darakhshan Police Station but comes under the jurisdiction of Sahil Police Station. It is submitted that the police record was examined, which revealed that no application regarding the alleged threats or protection has been submitted by the petitioner before Darakhshan Police Station, nor has the petitioner approached the police station in connection with the matter. It is further submitted that if the petitioner approaches the concerned police station for protection, necessary legal assistance and protection shall be provided in accordance with law.

4. We have heard learned counsel for the petitioner, learned AAG, learned APG, and perused the available record.

5. The grievance of the petitioner primarily relates to apprehension of harassment, threats, and alleged interference with the custody of the minor child by the private respondents. It is an admitted position that the petitioner has already invoked the jurisdiction of the Family Court by filing Guardianship Application

No.2547/2026, wherein the question of lawful custody and welfare of the minor is presently pending adjudication before the competent forum.

6. At this stage, this Court is not inclined to record any finding regarding the allegations levelled by either party against each other, particularly about alleged harassment, neglect, or entitlement of custody, as such issues require determination by the competent Family Court after recording evidence and examining the respective claims of the parties. Any observation by this Court on such disputed questions may prejudice the pending proceedings. However, the constitutional obligation of the police authorities is to ensure protection of life, liberty, and dignity of every citizen and to act strictly in accordance with law. Since the matter involves a private matrimonial dispute and custody proceedings are already sub judice, the police authorities are directed to remain neutral and impartial and shall not extend undue favour or cause harassment to either party. No coercive action shall be taken against any person except strictly in accordance with law and due process.

7. The official respondents are further directed that in case any genuine complaint regarding threat, harassment, or breach of peace is received from either side, the same shall be dealt with fairly, independently, and in accordance with law, without allowing any party to misuse the process of law for settling private disputes.

8. In view of the above observations and assurance submitted by the learned AAG/APG on behalf of the police authorities that necessary protection shall be provided to the parties, whenever approached, the instant petition stands disposed of with the above directions. The parties shall remain at liberty to pursue their respective remedies before the competent Family Court regarding custody and other matrimonial issues.

JUDGE

JUDGE

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