

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH AT KARACHI**

**C.P. No. D-3458 of 2026**

*(Mst. Sanam & another v Province of Sindh & others)*

Date	Order with signature of Judge(s)
------	----------------------------------

**Before:-**  
**Mr. Justice Adnan-ul-Karim Memon**  
**Mr. Justice Adnan Iqbal Chaudhary**

**Date of hearing and Order: 07.07.2026**

Mr. Mushtaq Ahmed, Advocate, for the petitioners.  
Mr. Sajid Ali Kalhoro, Advocate, for the respondents No. 8 & 10.  
Mr. Faheem Hussain DPG along with PI Ghulam Sarwar of PS Jamshed  
Quarter Karachi East.

\*\*\*\*\*

**ORDER**

**Adnanul-Karim Memon, J**                      The petitioners, Mst. Sanam and Nizamuddin, have filed the instant petition under Article 199 of the Constitution seeking quashment of FIR No. 35/2026 registered at Police Station New Jatoi, District Naushero Feroze, under sections 452, 364-A, 494, 496-A PPC read with section 3 TIP Act. They also seek directions to the official respondents for providing protection to their lives, liberty, and security and to ensure that they are allowed to live peacefully without harassment from private respondents.

2.        Learned counsel for the petitioners submits that the petitioners, Mst. Sanam and Nizamuddin, being major and sui juris, contracted marriage with mutual consent on 23.10.2025. It is submitted that Petitioner No.1 also executed a free-will affidavit declaring that she entered into the marriage voluntarily and without any coercion. It is contended that private respondents, being relatives of Petitioner No.1, opposed the marriage and, with malicious intent, lodged FIR No.35/2026 dated 01.05.2026 at Police Station New Jatoi, District Naushahro Feroze, under sections 452, 364-A, 494, 496-A PPC read with section 3 TIP Act, alleging abduction of Petitioner No.1. Learned counsel further submits that Petitioner No.1 subsequently appeared before the Judicial Magistrate, Moro, where her statement under section 164 Cr.P.C. was recorded, wherein she categorically stated that she was not abducted and had married Petitioner No.2 of her own free will. It is further submitted that the accused persons were granted relief by the subordinate courts, including interim pre-arrest bail to Petitioner No.2. It is argued that despite the said judicial proceedings, the private respondents are extending threats to the petitioners on the pretext of honour and are attempting to harass them. It is, therefore, prayed that the impugned FIR be quashed and necessary directions be issued to the official respondents for protection of the petitioners' life, liberty, and security.

3. Learned DPG submits that FIR No.35/2026 was registered at Police Station New Jatoi under sections 452, 364-A, 494, 496-A PPC read with section 3 TIP Act regarding abduction of Mst. Sanam and her daughter. It is submitted that during investigation, Petitioner No.1 appeared before the Judicial Magistrate, Moro, and recorded her statement under section 164 Cr.P.C., wherein she stated that she had contracted marriage with Nizam Deen Almani of her own free will and was not abducted. Consequently, the accused was discharged under section 63 Cr.P.C. vide order dated 07.05.2026. It is further submitted that, pursuant to the directions of the Additional Sessions Judge, Moro, further statements of the complainant and witnesses were recorded, wherein allegations regarding the abduction and second marriage were reiterated. The matter is still under investigation. Learned DPG assures that legal protection shall be provided to the petitioners and their family members in accordance with law and that all orders passed by this Court shall be complied with in letter and spirit.

4. Learned counsel for the private respondents submits that the allegations levelled by the petitioners are denied. It is contended that the FIR was registered based on genuine allegations and that the matter requires proper investigation. Learned counsel further submits that the statements recorded during investigation disclose serious allegations against the petitioner No. 2 and, therefore, the proceedings may not be quashed at this stage.

5. We have heard the learned counsel for the parties and perused the available record, it appears that Petitioner No.1, being a major and sui juris, has already recorded her statement under section 164 Cr.P.C. before the learned Judicial Magistrate, Moro, wherein she categorically stated that she had contracted marriage with Petitioner No.2 out of her own free will and that she was not abducted by anyone. The said statement, coupled with the subsequent proceedings before the learned Courts below, reflects that the controversy primarily arises out of a matrimonial dispute and opposition to the marriage by the private respondents.

6. However, keeping in view the allegations of threats and apprehension expressed by the petitioners regarding their safety and security, this Court is of the considered view that the fundamental rights of life, liberty, and dignity guaranteed under Articles 9 and 14 of the Constitution cannot be compromised. At the same time, the investigation of the FIR shall proceed in accordance with the statement of the lady petitioner and the same report shall be filed before the concerned Magistrate for disposal of the case as per the statement, as this Court cannot opine on the merits of the criminal proceedings at this stage.

7. Accordingly, without prejudice to the rights of the parties and subject to the outcome of the investigation, the private respondents are directed to furnish

surety bonds in the sum of Rs.500,000/- each before the SHO concerned, undertaking that they shall not cause any harm, harassment, intimidation, or interference with the peaceful life, liberty, and security of the petitioners. The official respondents shall ensure protection to the petitioners as and when required in accordance with law.

8. With the above observations and directions, the petition stands disposed of.

JUDGE

JUDGE

Shafi