

ORDER SHEET

**HIGH COURT OF SINDH CIRCUIT COURT,  
MIRPURKHAS**

**C.P No.D-282 of 2025**

DATE	ORDER WITH SIGNATURE OF JUDGE
<u>30.04.2025</u>	<p>Mr. Mehfooz Ali Laghari advocate a/w petitioners</p> <p>Mr. Mehboob Ali Laghari, advocate for private respondent(s)</p> <p>Mr. Muhammad Sharif Solangi Assistant A.G a/w IO SIP Zubair Ahmed Solangi ◇*◇</p>

Learned counsel for the petitioners submits that being sui-juris petitioner No.1 has contracted free will marriage with petitioner No.2 and being annoyed her mother/respondent No.5 has lodged a false FIR bearing Crime No.47 of 2025 at P.S Satellite Town Mirpurkhas under Sections 365-B PPC read with Section 3 & 4 of Child Marriage Restraint Act 2017 further read with Section 2 & 3 of Preventions of Trafficking in Persons Act 2018.

Learned counsel for the complainant/private respondent submits that petitioner No.1 is minor having age of 16 years and such marriage is restrained under Child Marriage Restraint Act. He has referred school certificates of the petitioner No.1 and further submits that the witness of the alleged Nikahnama has sworn his affidavit, whereby he has not recognized his signature on the alleged Nikahnama.

Investigation Officer of above crime has recorded the statement of petitioner No.1, wherein she has categorically stated that she being sui juris having age of 20 years has contracted free will marriage with petitioner No.2 and no one has abducted her and such affidavit of free will and Nikahnama is duly signed by them and witnesses. She further submits that the date mentioned in her school certificates is not the actual one since at the time of her admission her date of birth was reduced by her parents. Learned AAG submits that petitioner No.1 has categorically denied her abduction and as far as the applicability of provision of Child Marriage Restrain Act is concerned, Investigation Officer will carry out his investigation in this regard and

then will file his report under Section 173 Cr.P.C before the learned Magistrate concerned for disposal of the case in accordance with law.

In view of the above, instant petition is disposed of with directions to Investigation Officer to file his report before the learned Magistrate concerned, by taking into consideration the statement of petitioner No.1 as well, for disposal of the case in accordance with law. Meanwhile petitioners be provided protection in accordance with law.

JUDGE

JUDGE

\*Sajjad\*