

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
C.P No.S-490 of 2025

DATE	ORDER WITH SIGNATURE OF JUDGE(S).
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Hearing of case

1. For orders on office objection Nos.1 to 6 and reply as at "A".
2. For hearing of main case.

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Dated 15.07.2025

Mr. Qurban Ali Halo, Advocate for the petitioners a/w petitioners.
Mr. Raza Mian, DSP Legal-II, CPO, Karachi.
SDPO Abdul Rauf Nahrio, DSP Gharho.
I.O ASI Abdul Qadir, P.S Gharho
ASI Niaz Muhammad, P.S Gharho
ASI Dil Nawaz, P.S Makli.
Respondent No.9 Anwar Mirbahar is present in person.
Respondent No.10 Mohammad Hafeez is present in person.
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Petitioner No.2 Mst. Naseema is present in person and submits that she has contracted marriage of free will with petitioner No.1 Ameen Mallah. Due to such un-ceremonial marriage, the Respondent No.9 to 26 had convened a *Jirga* and declared them *Karo Kari* and they are bent upon to kill the couple. They have also complained that at the instance of the private respondents, the police has conducted several raids on their house and they intend to separate the couple so as the wishes of the Jirga may be translated into action.

On notice, SHO, P.S Makli, Respondent No.5 filed his statement wherein he has stated that he has not caused any harassment to the petitioners and allegations leveled against him are false. SHO, P.S Gharho, Respondent No.7 has filed his reply wherein it has been stated that on the complaint of one Muhammad Anwar, father of the petitioner No.2 Mst. Naseema, FIR No.25/2025 under Section-496-A/494/35 PPC was recorded at P.S Gharho wherein the petitioners Ameen and Naseema have been nominated as accused besides Jameel, Naseer Ahmed, Suleman, Ghulam Qadir, and Saleem Mirbahar have also been arrayed as co-accused. The complainant Anwar in the FIR has alleged that Mst. Naseema @ Naseeban was already married with one Hafeez on 25.04.2024 and during the substance of the earlier marriage, she has contracted marriage with Ameen Mallah. It is further contended that investigation in the case

was conducted by ASI Abdul Qadir, who after recording the statement of witnesses, submitted interim report before the Court of Civil Judge and Judicial Magistrate Gharho on 12.06.2025. ASI Abdul Qadir Khushk, the IO of the present case has also filed his statement making the similar submissions as by the Respondent No.7. DSP Legal has also filed statement on behalf of DIG Hyderabad. SSP Thatta, Respondent No.4 has also filed a statement which is replica of the statement of the SHO, P.S Gharho/ Respondent No.7. Respondent No.6, SHO, P.S Ghorabari has also filed reply wherein it has been contended that no harassment has been caused to the petitioners.

On Court's notice, Respondent No.9 Anwar Mirbahar has appeared and Mr. Sardar Salman Ishaque has filed Vakalatnama on his behalf. It has been contended by the counsel for Respondent No.9 that petitioner No.2 was already married with Hafeez Mirbahar. She has contracted second marriage without seeking *Khula*, therefore, Respondent No.9 has lodged the FIR against the petitioners.

Respondent No.10 is also in attendance but surprisingly he has not filed any complaint before the police regarding the abduction and alleged second marriage of petitioner No.2. The I.O present in Court was directed to record statement of petitioner No.2 wherein she has stated that she was not married with Respondent No.10 Hafeez. She has contracted marriage with Ameen Mallah and it is her first marriage.

Be that as it may, this Court cannot adjudicate the claims of the parties regarding the marriage of the petitioner No.2, however, from the statement of the petitioner No.2 it appears that she denied her first marriage with Hafeez. To settle this claim, the parties may approach the Family Court and file appropriate proceedings there. As far as the registration of FIR No.25/2025 is concerned, the petitioner has categorically denied her abduction and the second marriage. I.O of the case shall prepare a final report of the FIR in the case on the basis of the statement of the petitioner No.2 and file report under appropriate clause(s) as deemed fit.

The petitioners No.1 and 2 shall not be arrested in the FIR No.25/2025 registered at P.S Gharho. The petitioners submit that they apprehend danger to their lives at the hands of the Respondents

and they are living a fugitive life as there is very likelihood that they would be murdered at the hands of the private Respondents. In the given circumstances, SSP Thatta, Respondent No.4, SHO, P.S Gharho/ Respondent No.7 and Mr. Abdul Rauf Nahrio, SDPO Gharho are directed to provide protection to the petitioners. It is made clear that in case any harm is caused to the petitioners, SSP Thatta, SHO, P.S Gharho and SDPO Gharho shall be held personally responsible. SDPO Gharho present in Court is directed to ensure that the petitioners safely reach their destination from Court today.

The petition stands disposed of.

JUDGE

Ayaz Gul