

ORDER SHEET

IN THE HIGH COURT OF SINDH, CIRCUIT COURT LARKANA

Cr. Misc. Application No.S-289 of 2025

DATE	ORDER WITH SIGNATURE OF HON'BLE JUDGE
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1. For orders on office objection "A"
2. For orders on maintainability of the case.

09-09-2025

Mr. Imdad Ali Tunio, Advocate for the applicant.
Mr. Ali Anwar Kandhro, Additional Advocate General

NISAR AHMED BHANBHRO, J.- Petitioner is the father of alleged detainee Mst. Bibi Sughran, asserts that the alleged detainee solemnized marriage with respondent No.1 Akbar Ali about one year back and since the marriage he is not aware about the well being of his daughter.

2. Though the custody of wife with husband cannot be declared as illegal and writ u/s 491 Cr.P.C or even under the constitutional jurisdiction under Article 199 cannot be issued against the husband but on the assertions of the petitioner that his daughter might have been murdered, this court as an indulgence issued notice to the SHO police station Kashmore for production of alleged detainee before this court. The SHO police station Kashmore, respondent No.5 filed his statement wherein he has stated that he went to the house of the respondents and inquired their whereabouts from the people of locality and visited the houses wherein it transpired that respondent No.1 to 4 had shifted to Karachi. The report contains the memo of inspection of house of respondents No.1 to 4, the statements of Hukumdin and Muhammad Hashim and so also the photographs of the house, which evidenced that the house was lying empty and in a depleted condition. When confronted, learned counsel for the petitioner submits that petitioner being father has the right to know about the life of the alleged detainee.

3. Without going into the veracity of the statement made by the petitioner since the process for the recovery of alleged detainee was issued

by this court but it is surfaced on record that detainee is not available in the premises shown by the petitioner in the petition, therefore, no further process can be issued to give blanket cover to the assertions of the petitioner and direct the police to raid the houses in entire province.

4. This petition in view of the statement filed by the respondent No.5 is disposed of, the petitioner is however at liberty to file fresh petition, once he comes into knowledge about the alleged place of detention of his daughter. The petition stands disposed of in above terms with no order as to cost.

JUDGE

Asghar Altaf/P.A