

ORDER-SHEET  
IN THE HIGH COURT OF SINDH, CIRCUIT COURT LARKANA  
Constt. Petition No. S- 07 of 2017.

Date of hearing	Order with signature of Judge
31.03.2017.	

1. For orders on office objections.
2. For Katcha Peshi.

Mr. Zaffar Ali Malgani, Advocate for petitioner.  
Miss. Shazia Surahyo, State Counsel alongwith SIP Arssllah  
Khan Pathan, SHO P.S Mouladad.

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Through instant petition the petitioner sought issuance of Rule Nisi through respondents No.1 to 8 for production of Mst. Kalsoom, the alleged wife of the petitioner. Notices were issued to the respondents.

Mr. Waqar Ahmed Abro, files Vakalatnama on behalf of respondents No.2 and 7, which is taken on record.

The respondent No.1 files statement dated 31.03.2017 alongwith certain documents viz. copies of F.I.R No.85, 86 and 88 registered with P.S Mouladad and 164 Cr.P.C statement of alleged detainee Mst. Kalsoom daughter of Pehliwan recorded before Civil Judge and Judicial Magistrate-II, Jacobabad. In her statement Mst. Kalsoom has stated that on 17.11.2016 in the night time her uncles have saw to her and one Sultan Marri, therefore, they made fires upon them and then her uncles ran away. On following morning, she appeared at Police Station Mouladad at 09.00 a.m. where from she was produced before the Court. Learned Magistrate after hearing to Prosecutor disposed of F.I.R bearing crime No.85/2016. The respondent No.1 has also produced Nikahnama of alleged detainee with one Abdul Hameed alongwith her photograph with Abdul Hameed; same is taken on record.

Since the alleged detainee as per Nikahnama has contracted marriage with one Abdul Hameed, who is not party in these proceedings and if the petitioner has any evidence to claim alleged

detainee to be his wife, he is at liberty to file proper application/ suit before the Court of competent jurisdiction. As for as instant petition is concerned, in view of the comments and statement filed by the respondent No.1 containing all the material documents, the purpose of instant petition stands achieved.

Learned State Counsel has also no objection for the disposal of the petition.

Learned Advocate for petitioner confronting with the above situation does not controvert and seeks disposal of the petition on the ground that the petitioner would avail remedy available to him under the law.

  
JUDGE 21/3-17

Ansari\*