

ORDER SHEET

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD.

C.P.No.D-934 of 2025

DATE

ORDER WITH SIGNATURE OF JUDGE

15.12.2025.

Mr. Siraj Ahmed Bijarani, A.P.G for the State.

Mr. Rafique Ahmed Dahri Assistant Advocate General, Sindh.

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Petitioner Mst. Hania and Mujahid Ali has filed this constitutional petition under Article 199 of Constitution of Islamic Republic of Pakistan 1973, seeking following relief[s]:-

“a) That, this Honourable Court may be pleased to direct the respondent No.2 & 3 not to cause any kind of harassment to the petitioners, and relatives of petitioner No.2 at the instance of private respondent No.5 to 10 to through themselves, their agents, assignees, subordinates, or through any other agency in any manner.

b) That, this Honourable Court may be pleased to direct the respondent No.2 & 3 to provide protection to the petitioners and relatives of petitioner No.2 enabling them to pass their regular lives without any fear and if any harm is caused to the petitioners, the respondent No.4 may be deemed responsible.

c) That, this Honourable court may be pleased to record the statement of petitioner No.1 and in the light of her statement quash the FIR or direct the SHO P.S.Chambar to dispose of FIR bearing Crime No.69/2025 U/s 365-B PPC 3 & 4 of Sindh Child Marriage Restraint Act registered at P.S.Chambar district Tando Allahyar in view of free will and statement of the petitioner No.1 made in this petition.

d) That, this Honourable court may be pleased to direct the respondents No.2 & 3 not to arrest any person nominated in the FIR bearing No.69/2025 U/s 365-B PPC 3 & 4 Sindh Child Marriage Restraint Act, registered at P.S.Chambar district Tando Allahyar till final decision of this petition.

e) Any other relief which this Honourable Court deems fit and proper may please be awarded to the petitioner.”

Since, the abductee has recorded 164 Cr.P.C statement and according to which she has not been abducted by the accused and that she has performed Nikah with Mujahid Ali in exercise of freewill therefore, summary has been approved as proposed by the I.O under "C-class".

In view of such statement and order dated 13.08.2025 passed by the learned 1st Additional Sessions Judge/Special Judge Anti Rape Court Tando Allahyar, the purpose of filing instant petition has been served, which is accordingly disposed of.

JUDGE

JUDGE

Ahmed/Pa