

ORDER SHEET
HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

C.P No.D-137 of 2026.

<i>DATE</i>	<i>ORDER WITH SIGNATURE OF JUDGE</i>
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For orders on office objections.
 For hearing of M.A No.629/26.
 For hearing of main case.

19.02.2026.

Mr. Muhammad Ismail Bhutto, Additional Advocate General, Sindh alongwith SIP Nisar Ahmed Jalbani from PS 60 Male, District Shaheed Benazirabad.

Mr. Shoukat Ali Kaka, Advocate is present alongwith Petitioner (Sameer Ali) and files Vakalatnama on behalf of Petitioner, which is taken on record. While Mr. Altaf Sachal Awan, Advocate files Vakalatnama on behalf of Respondent No.3 to 5 alongwith counter affidavit in shape of objections to this Petition, which are also taken on record. Learned A.A.G has filed parawise comments on behalf of Respondent No.1 & 2.

Through this Petition, the Petitioner had sought the following reliefs;

- a) *To quash the FIR No.04 of 2026 PS 60 Mail District SBA under Section 202, 120-A PPC lodged by the Respondent No.2 on the instruction of Respondent No.3.*
- b) *To direct the official respondents No. 1 and 2 to safe recover the custody of Detainee Mst. Asifa Aziz wife of Petitioner from the hands of private respondents No. 3 to 5 and produce before this Hon'ble Court and record her statement as per law.*
- c) *To direct the Respondent no.1 and 2 to provide the legal protection to the petitioner as well as family members of the Petitioner and not to harass the Petitioner party.*
- d) *Any other relief(s) which this Honourable Court deems fit, just and proper in favour of the petitioners.*

Upon filing of this Petition, notices were ordered to be issued to the Respondents as well as learned A.A.G.

Today, alleged detenu Mst. Asifa Aziz has been produced and she is present alongwith her father / Respondent No.3 (Aziz-ur-Rehman) and states that she is residing with her father under peaceful atmosphere. On Court's query, she admitted her signature(s) on free will affidavit dated 30.12.2025 as well as Nikahnama. The Investigation Officer of Crime No.04 of 2026 lodged at PS 60 Male, District Shaheed Benazirabad for offence U/s 202 & 120-A PPC is present and submits that he would record the statements of all witnesses including witnesses of affidavit of free will and Nikahnama U/s 161 Cr.P.C and thereafter he would submit a report U/s 173 Cr.P.C before concerned Magistrate by considering the statements within stipulated time. At this juncture, counsel for the Petitioner seeks disposal of the Petition.

In view of the above, instant Petition stands **disposed of** with directions to concerned SHO(s) to act strictly in accordance with law and provide legal protection to the Petitioner, as and when approached. Furthermore, the Investigation Officer of Crime No.04 of 2026 is directed to conduct a fair and impartial investigation and thereafter submit a report U/s 173 Cr.P.C before concerned Magistrate within stipulated time in accordance with law. The concerned Magistrate by considering all the material collected by the I.O during course of investigation as well as providing proper opportunity of hearing to both the parties shall pass an order on report U/s 173 Cr.P.C.

Let a copy of this order be communicated to concerned learned Magistrate and SSP concerned for compliance.

JUDGE

JUDGE

Ali.