

ORDER SHEET
IN THE HIGH COURT OF SINDH,
CIRCUIT COURT, HYDERABAD

C.P. No.D-249 of 2026

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For order on office objection.
2. For order on MA No.1167/2026.
3. For hearing of main case.

17.03.2026

Mr. Muhammad Rahim Gaju, Advocate for petitioners.

Mr. Muhammad Ismail Bhutto, Additional Advocate General Sindh along with Haseeb Jawaid SSP Tando Muhammad Khan.

Mr. Ghulamullah Chang advocate for respondent No.6.

Enquiry report filed by SSP Tando Muhammad Khan is taken on record.

On 12.02.2026, both petitioners, namely Mst. Zakiara and Abdul Salam, appeared before this Court, wherein petitioner No.1 categorically stated that being sui juris, she had solemnized marriage with petitioner No.2 of her own free will and without any coercion. She further alleged that FIR bearing Crime No.24/2026, registered at PS Bulri Shah Karim under Sections 365-B, 34 PPC read with Sections 3/4 of the Child Marriage Act, had been falsely lodged against petitioner No.2. In the said circumstances, this Court, *inter alia*, restrained the police from arresting petitioner No.2 and directed protection to the petitioners. However, subsequently it transpired that despite the restraining order, petitioner No.2 was arrested and another FIR bearing Crime No.26/2026 under Section 23(1) (a) of the Sindh Arms Act, 2013 was registered against him on the allegation of recovery of an unlicensed 30-bore pistol. Considering the peculiar facts and the possibility of *mala fide* on part of the police, DIGP Hyderabad

Range was directed to conduct an impartial inquiry through a competent officer not below the rank of SSP, other than District Tando Muhammad Khan and submit a comprehensive report. The matter was then adjourned with direction to SSP Tando Muhammad Khan to appear with a progress report.

On the last date of hearing, SSP Tando Allahyar filed a report but the same was found to be unsatisfactory. However, since SSP Tando Muhammad Khan did not file his response, as such, he was directed to conduct a proper inquiry into the matter and submit a comprehensive report.

Today, the Senior Superintendent of Police, Tando Muhammad Khan is present and has submitted his inquiry report. The conclusion of the report reflects that a thorough inquiry was conducted in compliance with the orders of this Court, wherein relevant record was examined, concerned police officials were heard and record was perused. It is reported that following the alleged abduction of petitioner No.1, there was considerable public pressure and backlash from the complainant party and community, upon which FIR No.24/2026 was registered. It is further reported that on 12.02.2026, on spy information, a raid was conducted and petitioner No.2 was arrested, while petitioner No.1 was recovered. During the search, a 30-bore pistol was allegedly recovered from petitioner No.2, which he was carrying for his personal safety. The inquiry officer has opined that the concerned SHO and Investigating Officer were unaware of the restraining order passed by this Court at the relevant time and that FIR No.26/2026 under the Sindh Arms Act appears to be genuine and not *mala fide*.

In view of the above report and after considering the entire record, it appears that the controversy with regard to alleged *mala fide* action of the police has been inquired into by a senior police officer, who has concluded that the subsequent FIR was not falsely lodged and that the arrest was effected without knowledge of the restraining order. At this stage, no further intervention by this Court is warranted in constitutional jurisdiction. However, it is

observed that the petitioners shall be at liberty to seek appropriate remedy before the learned trial Court(s) in accordance with law, if so advised.

Accordingly, the instant petition stands **disposed of** along with the listed application.

This order will not prejudice either party while proceedings of trial.

JUDGE

JUDGE

Abdullahchanna/PS