

**ORDER SHEET
IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR**

*Constitutional Petition No. D-449 of 2026
[Sanaullah vs. Province of Sindh and others]*

| Date | Order with the signature of the Judges |
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| | |

Before:-

*Mr. Justice Amjad Ali
Bohio,
Mr. Justice Ali Haider 'Ada'*

Hearing of case.

- 1. For orders on office objections*
- 2. For hearing of main case.*

19.03.2026.

Mr. Sajid Ali Maitlo, Advocate for the Petitioner.
Mr. Agha Athar Hussain, Assistant Advocate General.
Mr. Gulzar Ali Malano, Assistant Prosecutor General.

In compliance with the earlier order, the alleged abductee, Mst. Sagheera, has been produced before this Court through the In-charge, Dar-ul-Aman Sukkur. It has been reported by the In-charge Shelter Home, Khairpur, that the alleged abductee has now been shifted to Dar-ul-Aman Sukkur.

The alleged abductee is present in Court today, and her statement has been recorded by the Investigating Officer, wherein she has categorically denied the allegation of abduction.

The Investigating Officer has also filed a statement and placed on record the copy of the challan, medical board opinion, and statement recorded under Section 164 Cr.P.C. The medical board has opined that the alleged abductee is approximately 17 years of age. In her statement under Section 164 Cr.P.C., she has reiterated that she was neither kidnapped nor abducted.

Mr. Ghulam Mustafa, Advocate, has filed Vakalatnama on behalf of respondent No.5 and also submitted his statement. Likewise, Mr. Shahbaz Shah, Advocate, has filed Vakalatnama on behalf of respondent No.6. A report has also been submitted on behalf of

respondent No.2 (SSP Khairpur). All the material placed on record is taken on record.

As per the medical opinion, the alleged abductee is approximately 17 years of age and has attained the age of puberty. Being *sui juris*, she is competent to decide her course of life. She has stated before this Court that she wishes to go with her mother-in-law, namely, Mst. Shehzadi, who is present in the Court.

So far as the petitioner, Sanaullah (husband of the alleged abductee), is concerned, learned counsel submits that yesterday his bail application was dismissed and now he is in custody. It is further contended that in view of the statement under Section 164 Cr.P.C. as well as the statement recorded today, it is evident that the petitioner has been falsely implicated in the present case.

In the circumstances, and on tentative assessment, the matter requires further inquiry. Accordingly, bail is granted to the petitioner, namely Sanaullah son of Hubdar Ali, in FIR No. 250 of 2025 registered at Police Station Kumb, subject to furnishing solvent surety in the sum of Rs. 50,000/- to the satisfaction of the trial Court.

The Investigating Officer has further submitted that after recording the statement of the alleged abductee, he shall proceed with the matter and submit a supplementary challan before the trial Court. Let needful be done strictly in accordance with law.

The alleged abductee, Mst. Sagheera is hereby set at liberty to go with her mother-in-law, namely Mst. Shehzadi, subject to furnishing a personal recognizance bond (P.R. bond) in the sum of Rs.500,000/- (Rupees Five Lacs) by the said Mst. Shehzadi. The concerned police officials are directed to ensure protection to the alleged abductee as and when required.

In these terms, the instant petition stands disposed of.

JUDGE

JUDGE