

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

Constitution Petition No.D-742 of 2026
(Bibi Shabana Shah Vs. P.O Sindh & others)

DATE	ORDER WITH SIGNATURE OF JUDGE
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01. For orders on office objections "A".
02. For hearing of main case.

17.09.2026.

M/S. Ghulam Khudeja Bhatti & Irfan Ali Thaheem, Advocates for the Petitioner.

Mr. Mohsin Ali Khan, Assistant Advocate General, Sindh.

Mr.Nazir Ahmed Bangwar, Deputy Prosecutor General, Sindh, alongwith Ghulam Ahmed Awan, PDSP (Legal) on behalf of S.S.P Jacobabad and DIG.P, Larkana, Abdul Ghafoor, DSP Garhi Khairo, Inspector Shah Jahan, Fida Hussain, SHO, P.S Miranpur Buriro, and PC Umar Bangulani of CIA, Jacobabad.

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Statements filed by respondents No.2 to 6, along with the USB produced by the learned PDSP Legal, Jacobabad, are taken on record.

Learned Assistant Advocate General, Sindh, and learned Deputy Prosecutor General, Sindh, submit that the petitioner's brother, namely Nadir Ali Shah, is a hardened criminal and is involved in several FIRs. It is further submitted that recently he committed a dacoity involving millions of rupees within the limits of City Jacobabad and, upon registration of the FIR, the petitioner, being his sister, instituted the instant petition with a view to securing his protection from arrest. Learned Law officers, further submit that the alleged detainee No.2, Allah Wassayo, is present before the Court and has not supported the contents of the petition. He has, rather, issued a disclaimer in a daily newspaper dated 09.09.2026, stating that the alleged incident has no concern with the petitioner or the other persons. It is further submitted that alleged detainees No.1, 3 and 4 are residing with the absconding

accused Nadir Ali Shah in the Katcha area, and that the police are making efforts to trace and arrest him. Alleged detainee No.1 is stated to be the wife, whereas alleged detainees No.3 and 4 are stated to be the children of the said absconding accused. It is, therefore, contended that the police efforts to trace the absconding accused have also led them to the said area.

The learned counsel for the petitioner denied the allegations; however, she admitted that the petitioner's brother is an absconder in various criminal cases and that the alleged detainees are his spouse and children. It is, however, contended that they had been detained by the police. Conversely, when confronted with the fact that the alleged detainees were residing with the absconding accused, namely the husband of alleged detainee No.1, no satisfactory explanation has been furnished.

Heard and perused.

Firstly, alleged detainee No.2, Allah Wassayo, has appeared before the Court and categorically stated that he was neither kidnapped nor abducted by the police. He has also not supported the allegations contained in the petition and has stated that the story was managed by the petitioner with a view to securing her brother from the consequences of the criminal cases registered against him.

Secondly, the petitioner's brother, Nadir Ali Shah, is admittedly involved in several criminal cases. The statements of the police functionaries, coupled with the material contained in the USB produced before the Court, prima facie indicate that he has also extended threats to the police hierarchy.

It further transpires that the police are making efforts to apprehend Nadir Ali Shah, who is stated to be a proclaimed offender. In the course of such efforts, the police are also attempting to trace his wife, alleged detainee No.1, and his children, alleged detainees No.3 and 4, who, according to the respondents,

are residing with him in the Katcha area. The petitioner has not satisfactorily explained these material circumstances and has, therefore, failed to disclose the complete facts before this Court.

For the foregoing reasons, no case for issuance of a writ of Habeas Corpus is made out. At the same time, the police remain under a legal obligation to apprehend the nominated/proclaimed accused in accordance with law and to trace alleged detainees No.1, 3 and 4, particularly as they are stated to be residing with the absconding accused. The instant petition, being devoid of substance, is accordingly dismissed.

JUDGE

JUDGE