

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

Constitution Petition No. S- 261 of 2024
(Miral Khan vs S.H.O Police station Hyderi and others)

Date	Order with signature of Judge
	1. For orders on office objection-A. 2. For hearing of main case.

11.09.2026.

None present for the petitioner.

Mr. Muhammad Murad Tunio, Advocate for the respondents No. 5 to 7.

Mr. Abdul Waris Bhutto, Astt. A.G.

Mr. Nazeer Ahmed Bangwar, Deputy Prosecutor General.

Sohail Ahmed DSP/SDPO, Hyderi, Larkana and Gulzar Buriro, SHO, Police Station Hyderi, Insp. Mumtaz, SHO, Police Station Women, Larkana and ASI Ali Dost on behalf of SSP, Larkana.

In pursuance of the last order of this Court, learned AAG has filed the progress report submitted by the SDPO, Hyderi, which is taken on record.

On the last date of hearing, the petitioner, who was present alongwith his counsel, was directed to submit the Family Registration Certificate and other relevant documents to establish and verify his assertion that Mst. Morzadi, the alleged detainee, is his daughter. In this regard, the petitioner sought time. Today, neither the learned counsel nor the petitioner is present, without any intimation, although the matter was fixed in their presence.

On the other hand, respondents Nos.5 to 7 are present and submit that the petitioner has approached different forums on multiple occasions in respect of the same grievance. It is further submitted that FIR No.513 of 2019 was registered at Police Station Korangi under Section 365-B PPC by one Akhtiar Ali against the same alleged detainee. They have further pointed out that a Nikahnama is available showing the alleged detainee to be married

to one Abdul Murad, and, therefore, there appears to be no material suggesting her abduction.

The material brought on record, including the progress report submitted by the SDPO, Hyderi, has been examined. It transpires from the said report that, despite efforts made by the police, the petitioner has failed to establish that Mst. Morzadi is his daughter. At the same time, the aforementioned FIR is stated to be pending before the competent Trial Court at Karachi.

In such circumstances, the matter essentially falls within the domain of the competent Trial Court, particularly when an FIR concerning the alleged offence is already pending adjudication. If the complainant or any person claiming to be aggrieved seeks recovery or production of the alleged detainee, the appropriate course is to approach the competent Trial Court in accordance with law. The police authorities are, in any event, under an obligation to conduct the investigation fairly, ascertain the factual position and place the progress of the investigation, including the steps taken for tracing and production of the alleged detainee, before the competent Court.

Keeping in view the foregoing facts and circumstances, accordingly, the instant Constitution Petition is hereby dismissed.

J U D G E