HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

C.P. No.D-2219 of 2026.

*[Mst. Rubina & another **VS** Abdul Sattar & others]*

Before:

Justice Adnan-Ul-Karim Memon.
Justice Muhammad Jaffer Raza.

Petitioners:	By Mr. Shahadat Ali Laghari, Advocate.
Respondent No.1:	By Mr. Velji Rathore, Advocate.
Respondent(s) / P.O Sindh:	By M/s Allah Bachayo Soomro, Additional Advocate General, Sindh, **and** Nazar Muhammad Memon, Additional Prosecutor General, Sindh alongwith I.O / SIP Muhammad Saleh and Inspector Shahnawaz Otho from PS Mehar.
Date of hearing	17.11.2026
Date of Decision	17.11.2026

O R D E R

ADNAN-UL-KARIM MEMON, J. - In compliance with order dated 28.10.2026, I.O./SIP Muhammad Saleh appeared and recorded the statement of petitioner Mst. Rubina under Section 161 Cr.P.C., in such statement, she categorically stated that she was neither abducted nor kidnapped and that being *sui juris* she had contracted marriage with petitioner No.2 Ahsan Ali, of her own free will, without any coercion.

2. Learned counsel for the petitioners submits that the allegations of abduction and kidnapping are unfounded, as the petitioner lady has herself categorically stated before the I.O. that being *sui juris* she contracted marriage with petitioner No.2 out of her own free will, without any coercion or compulsion. He submits that, in view of her voluntary statement, no offence of abduction or kidnapping is made out and the I.O. may submit final report under Section 173 Cr.P.C. before the concerned Magistrate, who may pass an order in accordance with law.

3. The I.O. undertakes to consider the statement of petitioner No.1 recorded during investigation and submit the final report under Section 173 Cr.P.C. before the concerned Magistrate under ‘C’ Class for appropriate orders.

4. In view of the statement of petitioner Mst. Rubina, who has categorically denied abduction or kidnapping and affirmed that she being *sui juris* has contracted marriage with petitioner No.2 Ahsan Ali, of her own free will, the I.O. shall complete the investigation and submit the final report under Section 173 Cr.P.C. before the competent Magistrate, recommending disposal of the case under ‘**C’-Class**, if so warranted by the evidence. The

learned Magistrate shall examine the statement of the petitioner lady, the investigation report and the material collected during investigation and pass an appropriate speaking order in accordance with law, keeping in view her unequivocal statement.

5. Accordingly, the instant petition stands **disposed of**, with directions to the official respondents to ensure protection of life and liberty of the petitioners and not to harass them, particularly when they approach the authorities for any assistance. No coercive action shall be taken against the petitioners merely based on allegations which stand negated by the petitioners' statement, save in accordance with law.

JUDGE

JUDGE

Ali.