HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

C.P. No.D-1968 of 2026
[Mst. Saira & another vs. Province of Sindh and Others]

Before:
JUSTICE ADNAN-UL-KARIM MEMON
JUSTICE MUHAMMAD JAFFER RAZA

• Petitioner:s	• By Mr. Zahur Ahmed Ansari, advocate
• Respondent No.7	• By Mr. Mumtaz Lashari, advocate
• Official respondents	• By Mr. Rafique Ahmed Dahri, Additional A.G SSindh and Mr. Nazar Muhammad Memon Additional P.G Sindh
• Date of hearing	• 13.10.2026
• Date of Decision	• 13.10.2026

O R D E R

***

ADNAN-UL-KARIM MEMON J:- Petitioners Mst. Saira and Abdul Rehman have filed this petition under Article 199 of the Constitution, seeking quashment of FIR No.47/2026 registered under Sections 365-B, 35 PPC read with Sections 3 and 4 of the Sindh Child Marriage Restraint Act, 2013, at P.S. Women Tando Allahyar, and protection from arrest and harassment.

2. Learned counsel submits that petitioner No.1, Mst. Saira, contracted marriage with petitioner No.2 of her own free will and that the FIR is false and mala fide. Petitioner No.1, present in Court, denies abduction or coercion.

3. Conversely, learned counsel for respondent No.7 produces her B-Form and School Leaving Certificate, reflecting her age as 14 years and 7 months, and contends that the marriage attracts the provisions of the Child Marriage Restraint Act, 2013. The Investigating Officer confirms recording her statement and states that a "C" class report will be submitted before the concerned Magistrate.

4. In view of the statement of petitioner No.1, the abduction allegation requires no further consideration. However, the question of underage marriage shall be examined by the concerned Magistrate in accordance with law upon submission of the report in terms of the statement of the petitioner lady. Meanwhile, the concerned SSPs shall ensure protection of the petitioners and prevent any harm to them at the hands of the private respondents.

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

JUDGE

JUDGE