

ORDER SHEET  
IN THE HIGH COURT OF SINDH KARACHI

**Const. Petition No. D-1898 of 2023**  
(Noor Bibi v. I.G.P Sindh and others)

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Date	Order with signature(s) of Judge(s)
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**Present:**

**Mr. Justice Muhammad Saleem Jessar**  
**Mr. Justice Nisar Ahmed Bhanbhro**

Hearing of case

For orders on MIT-II report dated 18.04.2024  
For orders on MIT-II report dated 09.04.2024  
For hearing of main case

**03-06-2026**

Mr. Akhtar Hussain Shaikh, Advocate alongwith petitioner  
M/s. Hakim Ali Shaikh and Sagheer Ahmed Abbasi, Additional  
Advocates General, Sindh

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**ORDER**

**Muhammad Saleem Jessar, J:-** Son of the petitioner, namely *Ali Ahmed Brohi*, went missing and was later reported to have been murdered. Consequently, FIR bearing Crime No. 15 of 2023 was registered with Police Station *Sachal* under Sections 302, 364, 201, 120-B, and 149 PPC. Following due process of law and completion of the investigation, the case was challaned and subsequently was tried by the Court of 1<sup>st</sup> Additional Sessions Judge (MCTC), Larkano vide Sessions Case No. 796 of 2023.

2. Learned counsel for the petitioner submits that the aforementioned case has been disposed of, resulting in acquittal of the nominated accused. However, an appeal against acquittal has been preferred by the petitioner, which remains pending adjudication before the Circuit Court of this Court @ Larkano. Notwithstanding the acquittal, both learned counsel and petitioner insist that since dead body of the deceased has not yet been recovered and the case has culminated in acquittal of the accused, appropriate directions may be issued to the concerned authorities to make efforts for recovery of dead body of the deceased.

3. We have examined the record and observe that instant matter originated from a telegram/application dispatched by the petitioner via

courier. The then learned Chief Justice of this Court took cognizance of the same and converted it into a Constitution Petition on 14.04.2023. Following the passage of the Constitution (Twenty-Sixth Amendment) Act, 2024, *Suo Motu* powers vested with the High Courts have been taken away by the legislature therefore this petition in view of above legal position has become infructuous and is hereby dismissed accordingly. However, the petitioner is at liberty to agitate her grievances and place any relevant material before the appellate forum where her criminal appeal against acquittal of the accused is pending adjudication.

Judge  
Head of const. Benches

Judge

B-K Soomro