

ORDER SHEET
IN THE HIGH COURT OF SINDH KARACHI

Const. Petition No. S-659 of 2026
(Annee Massih v. Province of Sindh & Ors.)

Date	Order with signature(s) of Judge(s)
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Hg: of Case.

- 1. For orders on Misc. No. 5326/2026.
- 2. For orders on office objections.
- 3. For hearing of main case.

10.08.2026.

Mr. Raham Ali Rind, Advocate for the Petitioner.
Mr. Makhdoom Syed Tahir Abbas, Advocate for Intervenor.
Mr. Sohail holding brief for Mr. Shahid Hussain, Advocate for Respondent.
Mr. K.A. Vaswani, AAG.
Ms. Anum Iqbal, APG a/w Sajid Gujjar, DSP/Legal office of AIGP Legal CPO and PI
Imran Ullah, PS Korangi.

Through this petition petitioner has sought following relief:

“(a) This honourable court may be pleased to direct the respondent. No.1 to 4 to produce the detainee in this honourable court from the possession of the respondent. No.05 and his inmates hand over the detainee to the petitioner in accordance with law and direct the respondent.No.1, to 4 provide the legal protection to the (illegal detainee) and Petitioner in accordance with law.

(b) To direct the respondent.NO.1 to 4 to take strict legal action against the respondent.No.5 and his inmates kidnappers as per law.

(c) Another other relief/relieves fit and proper according to the circumstances of the petition.”

2. Pursuant to the Court notices, the SHO, P.S. Korangi, has produced Yousuf Masih son of Younus Masih along with the minor. As per the claim of Yousuf Masih, the minor was given in adoption to the petitioner through an adoption deed dated 25.03.2023. Thereafter, the name of the minor was recorded in the parentage of Younus Masih as “Emaneual”, and since birth, the minor has remained in the custody of the said Younus Masih. Learned counsel for the petitioner submits that the petitioner does not know the said Younus Masih and, in fact, the minor was handed over in the custody of Markaz Aziz Masih, who subsequently sold the minor to Younus Masih. Since the minor has remained in the custody of Younus Masih, and disputed questions of fact regarding the identity and custody of the minor have been brought on record, which require recording of evidence and can best be resolved by the learned Guardian Court, this Court is of the view that the issued involved in the instant petition cannot be resolved.

The petitioner is at liberty to avail the remedy before the learned Guardian Court. In the event the petitioner approaches the learned Guardian Court, the matter shall be decided strictly in accordance with law, without being influenced or prejudiced by any observation made in this order.

This petition stands disposed of in the above terms alongwith pending applications.

JUDGE