

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD**  
C.P.NO.D-558 OF 2015

---

<b>DATE</b>	<b>ORDER WITH SIGNATURE OF JUDGE(S)</b>
-------------	-----------------------------------------

---

For katcha peshi.

13.06.2017

Mr. Noor-ul-Amin Sipio, Advocate alongwith petitioner.

Mr. Suhbat Ali Lund, Advocate for respondents No.8,9,10&13.

Mr. Allah Bachayo Soomro, Additional A.G a/w Ghulam Shabir Mangrio, DSP Investigation Dadu.

=

Through instant petition, the petitioner has sought following relief:-

- A. *That the act of respondents No.3, 5 to 13 is illegal, abinitio, without lawful authority and violation of Constitution and further the respondents may be directed not to cause harassment in any manner to the petitioner and his family members.*
- B. *That this Honourable Court may be pleased to pass the order for ref-investigation in the above case through any honest and impartial high rank officer for proper and fair re-investigation particularly for recovery of the abductee Mst.Gul Bano @ Gullan.*
- C. *That this Honourable Court may be pleased to direct the respondents No.1 and 2 to ensure the protection for lives and properties of the petitioner and his family members at the hands of respondents No.3, 5 to 13.*
- D. *That this Honourable Court may be pleased to set aside the order dated 01.12.2014 passed by the respondent No.4 without assigning any reason which is contrary to law and natural justice.*

*E. That this Honourable Court may be pleased to direct the respondent No.2 to arrest the nominated accused persons in the above FIR who are issuing threats to the petitioner and his family members.*

*F. Any other relief which this Honourable Court deem fit and proper may be awarded to the petitioner.*

Notices were issued to the respondents, pursuant to which, comments have been filed on behalf of the respondents, according to which re-investigation of FIR No.145 of 2014 has been made, wherein several persons have been nominated as accused in the FIR, out of which three accused persons namely Ghulam Hyder, Muhammad Ayoub and Zulfiqar @ Ghulam Murtaza have been arrested, whereas, Mst.Sumera and Mst.Shahar Bano are absconders. The Deputy Superintendent of Police (Investigation) Dadu has also shown appearance, who has verified above facts and has filed the compliance report alongwith annexures, copy of which has been supplied to learned Counsel for the petitioner. DSP further submits that challan of the case has already been submitted against the aforesaid accused before the learned Special Judge, Anti-Terrorism Court, Naushahro Feroze, where the trial is pending against them.

While confronted with above factual position, learned Counsel for the petitioner submits that the Police may be directed to arrest the absconding accused persons and also to trace out the whereabouts of the abductee namely Mst.Gul Bano @ Gullan, whose whereabouts are still not known.

Since the grievance of the petitioner in the instant petition i.e. re-investigation of FIR regarding abduction of Mst.Gul Bano @ Gullan has been substantially redressed to the effect that three accused persons nominated in the FIR have been arrested and challan against them has been submitted before the

competent Court of Law, whereas, two lady accused have been shown as absconders, and the matter is proceeding before the learned Ant-Terrorism Court, Naushahro Feroze, therefore, we would direct the learned Trial Court to proceed with the matter in accordance with law and to ensure that the concerned Police shall recover the alleged abductee Mst.Gul Bano @ Gullan, who shall be produced in Court accordingly. The concerned Police is also directed to ensure that the remaining accused persons shall be arrested and efforts shall be made to recover the alleged abductee Mst. Gul Bano @ Gullan, who shall be produced before the Trial Court.

With these observations, instant petition stands disposed of.

JUDGE

JUDGE

Shahid