

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD
C.P.NO.D-1952 OF 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on office objections.
2. For katcha peshi.

06.06.2017

Mr. Imtiaz Ali Channa, Advocate for petitioners alongwith petitioners.

Mr. Abdul Razaque Dasti, Advocate for respondents No.6 & 7.

Mr. Allah Bachayo Soomro, Additional A.G

Syed Meeral Shah Bukhari, Additional P.G a/w ASI Mazhar Ali Jamali of B-Section Dadu and ASHO Khalid Hussain of B-Section Dadu.

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Pursuant to Court notice, the I.O of FIR No.36/2017 registered at P.S B-Section Dadu appeared and recorded statement of Mst. Hadisa D/o Azeem, which is taken on record. Mst.Hadisa in her statement recorded by the I.O has stated that she being *sui juris* after having embraced Islam out of her sweet will has contracted marriage with petitioner No.2 Shoukat S/o Haji Ghulam Muhammad out of her own freewill and without any pressure or coercion. She has further stated that after freewill marriage she has been residing with her husband happily and does not want to go with her parents.

Pursuant to Court notice, respondents No.6 & 7, who are parents of petitioner No.1 Mst.Hadisa, have shown appearance alongwith their Counsel Mr.Abdul Razak Dasti, who has filed his Vakalatnama. However, in view of the statement of petitioner No.1 Mst.Hadisa recorded by the I.O, could not deny the fact that the allegations as contained in the FIR regarding abduction of Mst.Hadisa are false.

Petitioner No.1 Mst.Hadisa present in Court has reiterated her statement as recorded by the I.O of the case and submits that she wants to go alongwith her husband who is present in Court and wishes to reside with him out of her own freewill and choice.

Learned Counsel for the petitioners has prayed that above FIR and the proceedings thereto may be quashed.

Learned Additional A.G has filed comments on behalf of the respondents No.3 and 5 and submits that the official respondents shall act in accordance with law and will comply with the order as may be passed by this Court in the instant case.

In view of the above facts and the statement of the alleged abductee, instant petition is disposed of with directions to the I.O to submit report under Section 173 Cr.P.C for disposal of the case under "C" Class in the light of the statement of the alleged abductee Mst.Hadisa within 02 days from the date of this order, thereafter, the concerned Magistrate shall pass appropriate order accordingly, within one week from the date of this order. The concerned police shall ensure that no harassment is caused to the petitioners, who shall be provided legal protection in accordance with law.

Petition stands disposed of in the above terms alongwith listed applications.

JUDGE

JUDGE