

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT,
HYDERABAD

C.P.No.D- 2651 of 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on MA 10286/2017.
2. For orders on office objection.
3. For orders on MA 10287/2017.
4. For Katcha Peshi.

24.08.2017.

Mr. Haji Qalandar Bux Leghari, Advocate for petitioners alongwith petitioners.

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1. Granted.
2. Deferred for the time being.
3. Granted subject to all just exceptions.
4. Petitioner No.1 present in court contends that she being sui-juris has contracted marriage with petitioner No.2 on her own free will and accord; that on account of such marriage the private respondents have become antagonized and are issuing threats of dire consequences to the petitioners; further respondent No.5 Ali Nawaz has lodged false FIR No.13 of 2017 u/s 365-B, 34 PPC at Police Station Soofi Faqeer with regard to the alleged abduction of the petitioner No.1 by the petitioner No.2 and others.

Notice to the respondents as well as learned A.A.G. for 26.09.2017. Meanwhile, official respondents are directed not to cause any harassment to the petitioners. SHO PS Soofi Faqeer is further directed that no arrest shall be made in the aforesaid FIR with regard to the alleged abduction of petitioner No.1 who *otherwise* denies to have been abducted. While parting we have noticed one news clipping of Sindhi newspaper "Jeejal", wherein titled "Qasam Namoon" is appearing with the declaration that she is sui-juris and understands her welfare and that her parents were not happy over her choice of contracting marriage with Anwar as well information of her abduction.

Since, such like *publication / declaration* in newspaper is not the requirement of law nor a *legal action (setting law into motion)* can be prevented on such *publication* alone rather this may result in causing serious problem which is not limited to increasing *agony* of parents but would include defaming the *name and fame* of *parents* because of typical *culture* which even encourage *parents and relatives* to kill in name of **karo-kari**. The *present* counsel acknowledged that this tradition is only in Sindhi newspapers as there are high incidents of “Karo Kari” in interior Sindh. To marry the man of choice is right of every *sui-juris* but such *right* needs not be exploited in increasing the *agony* of innocent parents or putting their name and reputation by such like *publication*. Needless to add that all laws of the lands, including Constitution provides protection to *dignity*.. Accordingly, till further orders we restrain Sindhi and Urdu newspapers to public such type of “Qasam Namoon or Dhayan Talab” or other statements whereby a *declaration* with *full* particulars is made that a *lady* has left house of her parents against their wishes to marry the man of her choice because freedom of *expression* would not include making a statement which may result in causing any *legal* injury to other. However, this would not include any press conference or any agitation with regard to the serious threats of their lives. This order shall be circulated to Editors of Press Club of Sindhi and Urdu newspapers as well as Information Secretary for compliance.

JUDGE

JUDGE

Tufail