

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

C.P No.S-2174 of 2018

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DATE	ORDER WITH SIGNATURE OF JUDGE
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For orders on office objection.

For hearing of main case.

14.01.2019

Mr. Ahmed Nawaz Chang, Advocate for Petitioner.

Mr. Habib-ur-Rehman Jamali, Asst: Advocate General a/w ASI Abdul Qayoom Brohi of PS Jam Dattar District Shaheed Benazirabad.

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Learned A.A.G files comments of respondents No.3 & 4, taken on record.

Mr. Mehmood Ali Vistro, Advocate files Vakalatnama on behalf of respondents No.5 to 13 as well as comments, taken on record.

Through an earlier Constitution Petition bearing C.P No.S-2117 of 2018, filed by the petitioner and the alleged detainee, the couple having contracted marriage by way of freewill, sought protection and the said petition was disposed of vide order dated 28.11.2018 by directing the official respondents to provide protection to the couple and not to harass the petitioners. However, per learned counsel for the petitioner, soon thereafter the respondents took away the wife of the petitioner (alleged detainee) and he does not know her whereabouts. Thereafter, and through this petition her recovery is sought.

Learned counsel for the private respondents No.5 to 13, on the contrary states that private respondents are also unaware about the whereabouts of the alleged detainee and last time, she was seen with the petitioner only.

Learned counsel for the petitioner submits that he would be satisfied and not press the instant petition, if direction is given to the concerned SHO to record the statement of the petitioner who is alleging that his wife / alleged detainee has been abducted and if from such statement a cognizable offence is made out then an FIR is to be registered and the case to proceed with in accordance with law.

In view of the above, this petition is dismissed as not pressed. However, the concerned SHO of PS Jam Dattar is directed to record the statement of petitioner and if from such statement a cognizable offence is made out, then the same be prescribed in the book of Section 154 Cr.P.C and proceed with the matter in accordance with law.

JUDGE