

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

C.P No.S-2182 of 2018

DATE	ORDER WITH SIGNATURE OF JUDGE
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For orders on M.A No.6041/18.
For hearing of main case.

14.01.2019

Mr. Jamil Ahmed Shah, Advocate for Petitioner.

Mr. Habib-ur-Rehman Jamali, Asst: Advocate General a/w ASI Muhammad Khan
of PS Jhuddo District Mirpurkhas.

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Learned A.A.G files comments of respondents No.2 & 4, taken on record.

Through this petition, a direction is sought by the petitioners who have joined together through the institution of marriage, by way of freewill. The petitioner No.1 present in court states that she contracted marriage with petitioner No.2, out of her own freewill and she intends to live with her husband, the petitioner No.2.

Respondent No.6 present in Court claims that he infact contracted marriage with the petitioner No.1 in the past; however, he states that no Nikahnama of such marriage was made. Such a claim appears to be groundless, nonetheless, in that case, alternate legal remedies are available to him.

Respondent No.7 / brother of the petitioner No.1 also present in court and states that he is not concerned with the petitioner No.1 and neither he is harassing the petitioners nor intend to do so in the future.

Learned counsel for the petitioner states that infact the family members of respondent No.7, are present outside the court premises in order to forcibly kidnap the petitioner No.1, as such, due protection may be provided to the petitioners for reaching their adobe as they reside in Karachi.

In the given circumstances, the Additional Registrar of this Court is directed to contact with the local police to make an arrangement and ensure that the petitioners safely reach to their destination. The petitioner No.1 in relation to the FIR being Crime No.124 of 2018 of PS Jhudo U/S 365-B, 34 PPC, states that she has willfully married with the petitioner No.2 and she was not kidnapped by him. The I.O concerned of the said crime is directed to proceed in accordance with law however, ensure that no arrest shall be made in the aforesaid crime without prior permission of this Court. Learned Counsel for the petitioner requests that once the petitioner No.1 had made her statement in open court, as such, her attendance on the next date of hearing be condoned. In the circumstances, where a threat to the life of the petitioner No.1 is looming, her presence is dispensed with till further orders.

Adjourned to 30.01.2019.

JUDGE