

ORDER SHEET
**HIGH COURT OF SINDH CIRCUIT COURT,
HYDERABAD**

C.P No.D-446 of 2021

DATE

ORDER WITH SIGNATURE OF JUDGE

03.11.2021

Mr. Abdul Rehan Dahri, advocate for petitioners

Mr. Allah Bachayo Soomro, Additional A.G Sindh

Mr. Fayyaz Hussain Sabki, Assistant P.G Sindh a/w SHO PS Thatta SIP Farhan Shaikh and ASI Farman Bhutto of PS Makli

By way of captioned petition, petitioners seeks quashment of FIR bearing No.43 of 2021 lodged by respondent No.8 at PS Makli u/s 365-B & 34 PPC, alleging abduction of her daughter/petitioner No.1 at the hands of petitioner No.2 and his parents.

Learned counsel for the petitioners states that neither petitioner No.1 has been abducted nor she is under any illegal detention, as alleged in the aforesaid FIR; however, she being sui-juris has contracted marriage with petitioner No.2 according to her own free-will and passing her life with her husband/petitioner No.2 happily. Copies affidavit of free-will and Nikahnama are available at page-19 to 21 of the file.

Since the allegations, levelled in aforesaid crime have been denied by the alleged abductee herself/petitioner No.1, therefore, Investigation Officer of the aforesaid crime is directed to record the statement of petitioner No.1/ alleged abductee and submit the same before the learned Judicial Magistrate concerned for passing appropriate order in accordance with law. Meanwhile SHOs PS Makli and Thatta as well as Investigation Officer/respondent No.5 are directed to provide due protection to petitioners in accordance with law and no arrest shall be made in aforesaid crime.

Instant petition stands disposed of accordingly.

JUDGE

JUDGE

Sajjad Ali Jessar