

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT,
HYDERABAD.
C.P. No.S- 325 of 2021.

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on MA 842/2021.
2. For orders on office objection.
3. For orders on MA 843/2021.
4. For hearing of main case.

23.06.2021.

Mian Taj Muhammad Keerio, Advocate for petitioner.

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Through instant petition, the petitioner has prayed as under:-

- a) That, the Honorable Court may be pleased to direct the respondents No.2 to 4 to get recover the custody of detenu from the No.5 to 8 and produce before this Honorable Court and after recording her statement she may be set at liberty.
- b) That, any other relief, deem fit just and proper, may be granted to the petitioner by this Honorable Court.

2. On query about the relation of petitioner with the alleged detainee Mst.Jiyan alias Bivi daughter of Din Muhammad Khoso, learned counsel submits that the petitioner wants to marry with the alleged detainee but the parents of detainee are not allowing to contract marriage; however, he submits that petitioner is by caste Shar and the detainee is by caste Khoso and there is no relation in between them.

3. It appears that the alleged detainee Mst.Jiyan alias Bivi is living with her parents and such cannot be said as illegal confinement. In these circumstances the petitioner has no locus-standai to file this petition having no relation whatsoever with the said detainee. Learned counsel for the petitioner in the end of arguments shows apprehension that detainee might be murdered by her parents. However, on perusal of order dated 17.06.2021 passed by I/C Civil Judge & Judicial Magistrate-II, Mirpurkhas, it appears that the learned Magistrate directed Senior Superintendent of Police Mithi to depute responsible police officer to ensure safety life and liberty of Mst.Jiyan

alias Bivi at the hands of her parents and relatives and by order of Court she was handed over to her parents being under the age of 18 years.

4. In view of the above circumstances, the instant petition being misconceived and not-maintainable is dismissed in limine along with pending application[s]. However, Senior Superintendent of Police Mithi is directed to ensure the compliance of order dated 17th June, 2021 passed by learned I/C Civil Judge & Judicial Magistrate-II, Mirpurkhas in its letter and spirit.

JUDGE

Ahmed/Pa,