

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

C.P. No.D- 1302 of 2021

DATE	ORDER WITH SIGNATURE OF JUDGE(S)
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1. For orders on office objection.
2. For hearing of main case.

22.03.2022

Mr. Mohsin Raza Gopang, Advocate for petitioners, alongwith the petitioners.

Mr. Ayaz Ali Rajper, Assistant A.G. Sindh.

Mr. Shahzado Saleem Nahyoon, Additional Prosecutor General, Sindh.
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Through instant petition, petitioners have sought quashment of the proceedings emanating from FIR No.246/2021, registered at Police Station Kotri, under sections 365-B and 34 PPC on the ground that it has been lodged falsely without any substance.

Pursuant to order dated 23.02.2022, I.O has recorded the statement of the petitioner/victim (alleged abductee), which is available on record. Perusal of such statement, it appears that petitioner No.1 contracted marriage with petitioner No.2 on her own free will and choice without any coercion or pressure. She is the only star witness of the case as being alleged. In her said statement she has categorically stated that case of her abduction (subject FIR) is false and has been lodged by her parents as they were being enraged on account of her free will marriage with petitioner No.2.

Under these circumstances, when star witness (petitioner No.1) is not supporting the prosecution case there will be no chance that prosecution could succeed to prove its case without shadow of doubt hence keeping the same alive would amounts to abuse of law. Accordingly, the proceedings emanating from FIR No.246/2021, registered at Police Station Kotri, under sections 365-B and 34 PPC are hereby quashed.

Petition stands disposed of in above terms. Official respondents are directed to provide protection to the petitioners as and when they approach them, however, in accordance with law; and, further ensure that no harm is caused to them especially, at the hands of private respondents.

JUDGE

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