

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

C.P. No.D- 1544 of 2022

DATE	ORDER WITH SIGNATURE OF JUDGE(S)
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1. For orders on office objection.
2. For hearing of M.A- 5195 of 2022.
3. For hearing of main case.

19.04.2022

Mr. Manzoor Ahmed Panhwar, Advocate for petitioners, alongwith the petitioners.

Mr. Muhammad Ismail Bhutto, Additional Advocate General, Sindh alongwith Inspector Ghulam Hussain SHO P.S Abadgar and SIP Abdul Khaliq Khoso I/O of Crime No.18 of 2022.

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In the earlier round, when matter was called, reflection time was granted to petitioner No.1 to meet with her parents. Further, SIP Abdul Khaliq Khoso I/O of Crime No.18 of 2022 was directed to record statement u/s 161 Cr.P.C. of the petitioner No.1.

It is now 09:45 a.m. Matter again taken up. Learned A.A.G files comments of respondent No.3; whereas Mr. Ali Muhammad Memon Advocate files Vakalatnama on behalf of respondent No.5, same are taken on record, and copy of the comments is provided to learned counsel for the petitioners.

Through instant petition, petitioners have sought quashment of the proceedings emanating from FIR No.18 of 2022, registered at Police Station Abadgar, under sections 365-B and 34 PPC on the ground that it has been lodged falsely without any substance.

Pursuant to aforementioned direction, I.O has recorded the statement of the petitioner No.1/victim (alleged abductee), which is taken 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 petitioner No.1 has categorically stated that case of her abduction (subject FIR) is false, fabricated and has been lodged by her impersonating father-in-law as her parents are enraged on account of her free will marriage with petitioner No.2.

Under these circumstances, when star witness (petitioner No.1) being alleged abductee is not supporting the prosecution case/FIR there will be no chance that prosecution if trial commenced, could succeed to prove its case hence keeping the same alive would amounts to abuse of process of law. Accordingly, the proceedings emanating from FIR No.18 of 2022, registered at Police Station Abadgar, 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 respondent.

JUDGE

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