

ORDER SHEET
THE HIGH COURT OF SINDH KARACHI
C.P.No.D-3613 of 2022

DATE	ORDER WITH SIGNATURE(S) OF JUDGE (S)
-------------	---

Priority.

1. For order on office objection No. 26.
2. For hearing of CMA No.15909/22. (stay)
3. For hearing of main case

29.06.2022.

Mr. Sajid Raza Rind, advocate a/w petitioners.
Mr. Ali Safdar Depar, A.A.G. a/w ASI S. Izhar Ahmed I.O.
S.I.P Mitho Khan Soomro P.S. Sir Syed.

Reports filed by SIP P.S. Sir Syed and SDPO Khawaja Ajmair Nagri along with documents, are taken on record. Learned AAG has pointed out that initially the FIR was registered under section 365-B, PPC, which was then disposed of in A class; whereas, statement of Petitioner No.1 was also recorded under Section 164 Cr.P.C.; however, after reinvestigation sections 496-A, 493, 494 and 34 PPC have been added in the final report; therefore, petition is liable to be dismissed.

However, for the present purposes, this Petition, seeks quashment of FIR No. 1027/2021 registered under Section 365B with P.S. Sir Syed District Central. Notice was ordered and today the investigation officer on our directions has recorded the Statement under Section 161 Cr.P.C. of petitioner No.1. She in her statement has stated that neither she has been kidnapped nor has been coerced to enter into marriage with petitioner No.2. Whereas, she has also been confronted by us as to her statement in Court and she affirms contents of her statement. It has been further informed that she has also filed a Suit for Jactitation bearing Family Suit No.174 of 2022 against Mr. Safdar, with whom it has been alleged that she was also married prior to her marriage with petitioner No.2.

Be that as it may, in view of the above, while disposing of this Petition, we direct the concerned I.O. to file her statement along with his final report before the concerned trial Court, who shall proceed and pass appropriate orders in accordance with law, without being influenced by any of the observations hereinabove. Insofar as, the petitioners are concerned no arrest shall be made in the aforesaid FIR and no harassment shall be caused to them, whereas, necessary protection may also be provided by the Respondents in accordance with law.

Petition stands disposed of.

JUDGE

JUDGE