

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH AT KARACHI**  
**CrI. Misc. Application No. 425 of 2020.**

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Date	Order with signature of Judge
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1. For orders on M.A. No. 1638 of 2021 (U/A).
2. For orders on M.A. No. 10422 of 2020 (Ex/A).
3. For hearing of main case.

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**17<sup>th</sup> February 2021.**

Rao Shahzad Khan, advocate for applicant.

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- 1) Urgency granted.
  - 2-3) It would be conducive to reproduced relevant paragraph of impugned order, which is that:-

“The complainant has leveled serious allegations against the investigating officer of the case for not conducting the fair investigation of the case and favoring the accused and wants the transfer of investigation of the case to some other investigation officer. The said investigating officer has denied all the allegations of the complainant leveled against him. It is to be noted here that no application by the complainant has been submitted to the Superintendent of Police, Investigation for change of investigation who is competent to transfer the investigation of the case under the law. The investigation material available to me shows that the IO has completed the investigation of the case and after preparing the report under section 173 Cr.P.C. has got approved the same by the SP Investigation, West Karachi and it has to be submitted to the concerned Judicial magistrate to dispose the matter as “B” class due to lack of evidence and lodging of false FIR against the accused. The police record clearly shows that the alleged abductee Mehrunisa has got recorded her statement under section 164 Cr.P.C. before the court of learned Xiith civil judge and judicial magistrate Karachi west wherein she has stated that she got married with Akhter Ali (the accused) on 01.07.2019 and Aslam, the complainant fraudulently obtained her signature on the Nikhanama which she thought that it was khula nama. She has further stated therein that after showing the false Nikahnama, Aslam has got registered as false case against her and that she wanted to go with her brother. Record further reveals that the investigating officer has got verified the nikkahnama of the accused Akhter son of Bashir Ahmed in respect of his marriage with the alleged abductee Mehrunisa daughter of liaquat Ali from the concerned municipal committee and the same was found to be genuine.”

Perusal of above, reflects that impugned order is in accordance with law and counsel for the applicant has failed to point out any illegality in the impugned order. Accordingly, instant Crl. Misc. Application is dismissed.

**J U D G E**

Sajid