

**IN THE HIGH COURT OF SINDH,
CIRCUIT COURT, HYDERABAD**

CP No. S- 330 of 2020
Mst. Maryam v. Province of Sindh and others

CP No. S- 420 of 2020
Mst. Rasheeda alias Memi v. Province of Sindh and others

CP No. S- 567 of 2020
Mst. Fatima and another v. Province of Sindh and others

CP No. S- 619 of 2020
Mst. Qazbano and another v. Province of Sindh and others

CP No. S- 621 of 2020
Mst. Fozia and another v. Province of Sindh and others

CP No. S- 106 of 2021
Mst. Nusrat and another v. Province of Sindh and others

CP No. S- 181 of 2021
Mst. Nuzhat and another v. Province of Sindh and others

CP No. S- 122 of 2021
Mst. Rukhsana and another v. Province of Sindh and others

CP No. S- 134 of 2021
Mst. Shakeela and another v. Province of Sindh and others

CP No. S- 200 of 2021
Mst. Soonh and another v. Province of Sindh and others

CP No. S- 229 of 2021
Mst. Tehreem and another v. Province of Sindh and others

CP No. S- 252 of 2021
Mst. Najma and another v. SSP Hyderabad and others

CP No. S- 261 of 2021
Shr. Janakee v. Province of Sindh and others

CP No. S- 319 of 2021
Mst. Rozina and another v. Province of Sindh and others

CP No. S- 322 of 2021
Mst. Rabia and another v. Province of Sindh and others

CP No. S- 339 of 2021
Mst. Ghulam Kubra and another v. Province of Sindh and others

CP No. S- 347 of 2021
Mst. Zulekhan and another v. SSP Tando Muhammad Khan

CP No. S- 350 of 2021
Mst. Gulshan and another v. Province of Sindh and others

CP No. S- 364 of 2021
Mst. Zaibu and another v. Province of Sindh and others

CP No. S- 387 of 2021
Mst. Sanam and another v. Province of Sindh and others

CP No. S- 399 of 2021
Mst. Dania and another v. Province of Sindh and others

CP No. S- 426 of 2021
Mst. Saira and another v. Province of Sindh and others

CP No. S- 431 of 2021
Mst. Sahibzadi and another v. Province of Sindh and others

CP No. S- 484 of 2021
Mst. Kainat and another v. Province of Sindh and others

CP No. S- 498 of 2021
Mst. Haseena and another v. Province of Sindh and others

CP No. S- 516 of 2021
Mst. Kausar and another v. Province of Sindh and others

CP No. S- 528 of 2021
Mst. Raheela and another v. SSP Hyderabad and others

CP No. S- 531 of 2021
Mst. Areena and another v. Province of Sindh and others

CP No. S- 556 of 2021
Mst. Sehar and another v. Province of Sindh and others

CP No. S- 566 of 2021
Mst. Waheeda and another v. Province of Sindh and others

CP No. S- 568 of 2021
Mst. Nimra and another v. Muhammad Saleem and others

CP No. S- 607 of 2021
Mst. Azman and another v. Province of Sindh and others

CP No. S- 646 of 2021
Mst. Afsana and another v. Province of Sindh and others

CP No. S- 668 of 2021
Mst. Muskan and another v. Province of Sindh and others

CP No. S- 771 of 2021
Mst. Maryam and another v. Province of Sindh and others

CP No. S- 787 of 2021
Mst. Shabana and another v. Province of Sindh and others

CP No. S- 790 of 2021
Mst. Faiza and another v. Province of Sindh and others

CP No. S- 01 of 2022
Mst. Iqra and another v. Province of Sindh and others

CP No. S- 39 of 2022
Muhammad Amir v. SSP Complaint Cell Hyderabad and others

CP No. S- 62 of 2022
Ali Akbar and others v. Province of Sindh and others

CP No. S- 65 of 2022
Mst. Aisha and another v. Province of Sindh and others

CP No. S- 82 of 2022
Mst. Urooj Fatima and another v. SSP Hyderabad and others

CP No. S- 113 of 2022
Mst. Zainab @ Premi and another v. Province of Sindh and others

CP No. S- 115 of 2022
Mst. Naila and another v. Province of Sindh and others

CP No. S- 303 of 2022
Mst. Fatima and another v. Province of Sindh and others

CP No. S- 306 of 2022
Mst. Sameena and another v. Province of Sindh and others

CP No. S- 344 of 2022
Mst. Parveen and another v. Province of Sindh and others

CP No. S- 420 of 2022
Mst. Kainat and another v. Province of Sindh and others

CP No. S- 437 of 2022
Mst. Sawera and another v. Province of Sindh and others

CP No. S- 439 of 2022
Mst. Fatima and another v. Province of Sindh and others

CP No. S- 440 of 2022
Mst. Nasim Zahra and another v. Province of Sindh and others

CP No. S- 442 of 2022
Mst. Mahnoor and another v. Province of Sindh and others

CP No. S- 443 of 2022
Mst. Jamila and another v. Province of Sindh and others

CP No. S- 444 of 2022
Mst. Bushra and another v. Province of Sindh and others

CP No. S- 445 of 2022
Mst. Jameela and another v. SSP Shaheed Benazirabad and others

CP No. S- 455 of 2022
Mst. Saima and another v. Province of Sindh and others

CP No. S- 485 of 2022
Mst. Leelan and another v. Province of Sindh and others

CP No. S- 486 of 2022
Imam Bux and another v. Province of Sindh and others

CP No. S- 488 of 2022
Mst. Parveen and another v. Province of Sindh and others

CP No. S- 489 of 2022
Mst. Soohn and another v. Province of Sindh and others

CP No. S- 493 of 2022
Mst. Lubna and another v. Province of Sindh and others

CP No. S- 503 of 2022
Mst. Areeka and another v. Province of Sindh and others

CP No. S- 506 of 2022
Mst. Anam and another v. SSP Badin and others

CP No. S- 508 of 2022
Mst. Amber and another v. Province of Sindh and others

CP No. S- 509 of 2022
Mst. Tasleem and another v. Province of Sindh and others

CP No. S- 534 of 2022
Noor Ahmed and another v. Province of Sindh and others

CP No. S- 540 of 2022
Mst. Najma and another v. Province of Sindh and others

CP No. S- 545 of 2022
Mst. Rabia and another v. Province of Sindh and others

M/s. Ahmed Nawaz Chang, Imtiaz Ali Channa, Muhammad Raheem, Tahreen Jawahery, Moula Bux Leghari, Azad Ali Sahito, Muhammad Fazil, advocate(s) for petitioners

Mr. Badal Gahoti, Zeeshan Ali Memon, Advocate for private respondents.

Mr. Imran Ahmed Abbasi, A.P.G.

Mr. Allah Bachayo Soomro, Addl.A.G. along with Insp. Miran Khan PS Kot Ghulam Muhammad district Mirpurkhas, ASI Nisar Ahmed Brohi PS Sakrand, ASI Anwar Ali Gaho PS Badin, SIP Ghulam Murtaza Addl. SHO PS Umerkot City, ASI Ghulam Hussain, SHO PS Jamshoro, Insp. Muhammad Rahim Gopang, SHO PS B-Section Tando Allahyar, SIP Muhammad Nasir PS A-Section Tando Allahyar, ASI Gul Muhammad Mallah PS S.F. Rahu, ASI Abdul Aziz Khoso, I/c. PP Khuda ki Basti PS Kotri, ASI Ghulam Hussain for SHO PS Jamshoro, SIP Muhammad Ishaq PS SITE Superhighway East Karachi, Insp. Tufail Shaikh for SSP Tando Muhammad Khan & ASI Ali Khan Noonari PS Moya district Tando Muhammad Khan, ASI Bashir Ahmed & ASI Hadi Bux PS Tando Muhammad Khan, SIP Masri Khan Khoso SHO PS Mirpur Bathoro district Sujawal, ASI Rafiq Ahmed, PS Mirwah district Mirpurkhas, Insp. Shakil Ahmed SHO PS Missan district Tando Allahyar, Insp. Saeed Ahmed Channa SHO PS Talhar district Badin.

Date of hearing and order: 19.8.2022

ORDER

ADNAN-UL-KARIM MEMON, J. - In the aforesaid cases common question of law is involved, therefore the same is being taken up together and disposed of.

2. Through the listed bunch of petitions, the petitioners have prayed for direction like mandamus directing the official as well as private respondents not to interfere in their peaceful matrimonial life. The petitioners claim to be adults and

married to each other of their free will in the aforesaid cases, and for that, they are being threatened and harassed.

3. Learned counsel for the petitioners, in each petition, have submitted that the petitioners in each case are major and have solemnized marriage with each other according to Muslim Rites and Custom.

4. Mr. Allah Bachayo Soomro, learned Additional. A.G. assisted by the police officials present in court, has categorically stated that no harassment shall be caused to the petitioners in each case and the police officials shall act strictly under law. Learned counsel for the petitioners seeks disposal of the aforesaid cases in terms of the statement of learned AAG.

5. I have heard learned counsel for some of the petitioners present in court as well as learned AAG on the subject point of law.

6. I have noticed that the petitioners are not in attendance; and, as per learned counsels, due to alleged harassment caused by official respondents/police officials who in connivance with the private respondents are causing harassment to them. Be that as it may, since they simply seek protection against the police officials, who are allegedly extending serious threats of life to the petitioners; and the learned AAG has candidly agreed that no harassment shall be caused to the petitioner; because of such statement, the petitioners are being treated as aggrieved persons within the ambit of Article 199 of the Constitution of Islamic Republic of Pakistan.

7. Primarily, this is a free and democratic country, and once a person becomes a major he or she can marry whosoever he/she likes. If the parents of the boy or girl do not approve of such inter-caste or inter-religious marriage the maximum they can do is they can cut off social relations with the son or the daughter, but they cannot give threats or commit or instigate acts of violence and cannot harass the person who undergoes such inter-caste or inter-religious marriage. I, therefore, direct that the administration/police authorities will see to it that if any boy or girl who is a major undergoes inter-caste or inter-religious marriage with a woman or man who is a major, the couple is not harassed by anyone nor subjected to threats or acts of violence, and anyone who gives such threats or harasses or commits acts of violence either himself or at his instigation, is taken to task by instituting criminal proceedings by the police against such persons and further stern action is taken against such persons as provided by law. However, the above observation is without prejudice to the legal rights of the parties, if any, pending before the competent court of law.

8. In view of the above, by consent, the captioned petitions are disposed of with direction that the petitioners are at liberty to live together and no person shall be permitted to interfere in their peaceful living. In case any disturbance is

caused in the peaceful living of the petitioners, the petitioners shall approach the concerned Senior Superintendent of Police or Superintendent of Police with a copy of this order, who shall provide immediate protection to the petitioners.

JUDGE

Karar_Hussain/PS*