

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

CP No. S- 494 of 2021  
Mst. Nosheela Rani v. Province of Sindh and others

Mr. Ahmed Nawaz Chang, Advocate for petitioner

Mr. Allah Bachayo Soomro, Addl.A.G. along with insp. Shah Jehan Lashari, SHO PS Satellite Town Mirpurkhas

**Date of hearing and order: 16.9.2022**

**ORDER**

**ADNAN-UL-KARIM MEMON, J. -** Through instant petition, the petitioner has prayed for direction like mandamus directing the official as well as private respondents not to interfere in their peaceful matrimonial life. The petitioner claim to be adult and married to Asad Ali of her own free will, and for that, they are being threatened and harassed.

2. Learned counsel for the petitioner submitted that the petitioner is major and has solemnized marriage with Asad Ali according to Muslim Rites and Custom.

3. Mr. Allah Bachayo Soomro, learned Additional. A.G. has categorically stated that no harassment shall be caused to the petitioner and her husband and the police officials shall act strictly under law. Learned counsel for petitioner seeks disposal of the aforesaid petition in terms of the statement of learned AAG.

4. I have heard learned counsel for petitioner as well as learned AAG on the subject point of law.

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

6. Primarily, this is a free and democratic country, and once a person becomes major he or she can marry whosoever he / she likes; if the parents of the boy or girl do not approve 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 for 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, if any boy or girl who being major undergoes inter-caste or inter-religious marriage with a woman or man who is a major, the couple is neither 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 person(s) 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.

7. In view of the above, by consent of learned A.A.G., the captioned petition is disposed of with direction that the petitioner is at liberty to live with her husband and no person shall be permitted to interfere in their peaceful living. In case any disturbance is caused in the peaceful living of the petitioner, she 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 petitioner and her husband.

JUDGE