

ORDER SHEET

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

C. P. No. D – 1696 of 2023

Date of hearing	Order with signature of Judge
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Hearing of case (priority)

1. For orders on office objections at Flag-A
2. For hearing of CMA No.7304/2023 (Stay/App)
3. For hearing of main case

20.12.2023

Mr. Wajid Ali Shaikh, Advocate for petitioners.
Mr. Aftab Ahmed Shar, Additional Prosecutor General.
Mr. Saeed Ahmed Wassan, Assistant Advocate General Sindh.

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Statements have been filed on behalf of respondents No.2 and 3 as well as SSP Khairpur.

Respondent No.3 (ASI Ali Nawaz Shaikh, Investigating Officer of Crime No.420 of 2023, registered at Police Station Shaheed Murtaza Mirani @ Shah Latif, District Khairpur U/S 3, 4 & 5 of Sindh Child Marriages Restraint Act, 2013) is present, and in his report, has submitted that he has recorded statement of alleged abductee Mst. Irshad Khatoon (Petitioner No.1) U/S 161 CrPC, whereby she has stated that she being *sui juris* has contracted marriage with Muhammad Nawaz (Petitioner No.2) with her own accord and freewill and is living happily with him in a pleasant atmosphere. She has further stated that her mother Mst. Sulah (Respondent No.4) has lodged aforesaid false FIR regarding her abduction, which is nothing but bundles of lies, as she was never abducted or enticed by anyone.

In addition, in compliance of order of this Court, petitioner No.1 has been medically examined by Special Medical Board on 13.12.2023, which opined that from general appearance, physically examination, dental opinion and radiological evidence, Mst. Irshad Khatoon's age is about 18 years. Such opinion is communicated by the Special Medical Board vide letter dated 14.12.2023, annexed along with the report of IO. The IO submits that he will file a copy

of statement of petitioner No.1 recorded U/S 161 CrPC and aforesaid opinion of Special Medical Board along with his report before the Magistrate concerned for disposal of the above FIR in accordance with law.

Learned Counsel for petitioners, being satisfied with the statement of IO, does not press this petition, which is accordingly **disposed of** along with listed application, with directions to official respondents to provide protection to the petitioners in accordance with law, as and when they need.

J U D G E

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Abdul Basit