

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, KARACHI**  
**C.P No.S-158 of 2024**

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Order with signature of Judge(s)

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Hearing of case

1. For orders on office objection & reply at 'A'
2. For hearing of main case

**27.02.2024**

Mr. Qadir Hussain Khan and Ms. Shehla Anjum, Advocates for the petitioner alongwith petitioner  
SIP Muhammad Jamshed, Additional SHO, P.S Momin Abad,  
Karachi  
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Respondent No.5 Muhammad Nadeem S/o Mehboob Ali CNIC No.42401-4601369-9 as well as alleged detinue Ms. Aisha have been produced, it appears that the alleged detinue is a minor as apparent from her school certificate (page-13) having her date of birth as 18-Dec-2007, where the Respondent No.5 is aged 37 years born on 01.02.1987 who *prima facie* appears to be a pedophile having committed intercourse with the minor Ms. Aisha on 07.09.2023 when she was hardly 15 years old in violation of Sindh Child Marriages Restraint Act, 2013. Court has been informed that FIR bearing No.374/2023 has already been registered with P.S Momin Abad, Karachi and proceedings are going on. I.O of the said crime is directed to add Section 3, 4 and 5 of the Sindh Child Marriages Restraint Act, 2013 in the Challan and proceed as per the order dated 09.11.2020 passed in C.P No.D-5364 of 2020, where a learned Bench of this Court held as under:-

“Prima-facie it would appear that an offence has been committed under the Sindh Child Marriages Restraint Act, 2013. In this regard, we direct the I.O. Mr. Shariq Ahmed Siddiqui to add such relevant sections to the challan and carry out full investigation into this matter. It is made clear that in particular he should follow up on sections 4 & 5 of the aforesaid Act so that any person concerned in this under age marriage is also proceeded with in accordance with law. Clues in this respect can be found in the reply/comments filed by the father of the petitioner as respondent No.6 which are on the record of this Court which includes the names of those involved in this marriage in contravention of Sindh Child Marriages Restraint Act, 2013. During investigation the I.O. shall also be mindful of the rules under the

aforesaid Act and proceed against those who have committed any violation of the Rules and in particular Rule 3.”

When the minor Aisha was asked whether she wanted to go with her mother or go to Pannah Shelter Home, she in essence replied that she does not want to go to either of them. Under these circumstances, this Court has no option, keeping in view the age of the minor, but to direct that she be sent to Pannah Shelter Home under the escort of lady police officer, till further order. The Pannah Shelter Home shall ensure the schooling of the minor and also ensure her welfare and safety, where she will be allowed to meet those persons to whom she wants to meet with her permission. However, she would not be allowed to meet the accused Muhammad Nadeem.

Adjourned to 21.03.2024 at 11:00 a.m.

JUDGE

B-K Soomro