

ORDER SHEET
IN THE HIGH COURT OF SINDH
CIRCUIT COURT MIRPURKHAS

Criminal Miscellaneous Application No. S-478 of 2024

(Mst. Nasreen Vs. SSP Mirpurkhas & others)

DATE	ORDER WITH SIGNATURE OF JUDGE
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Date of hearing & Order 13.08.2024

Mr. Rafique Ahmed Laghari advocate for the applicant a/w applicant.

Mr. Muhammad Saleem Kunbhar advocate for respondent No.3 a/w respondent No.3 as well as minors Aroona, Musawar, Iqra, and Hamza.

Mr. Dhani Bakhsh Assistant P.G Sindh.

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ORDER

Adnan-ul-Karim Memon, J. The applicant Mst. Nasreen has filed this Criminal Miscellaneous Application under section 491 Cr. P.C, praying therein that directions may be issued to respondents No.01 & 02 to produce the minors baby Aroona, Master Musawar, baby Iqra, and Master Hamza, who are illegally detained by respondent No.03 Amjad Ali, who claims to be the father of the minors.

2. In compliance with the Order dated 08-08-2024, the minors have been produced by respondent No.03 with the claim that he is a natural guardian of the minors; as such, the minors are no more in illegal detention as portrayed by the applicant. He further submits that the purpose of filing this Habeas Corpus Petition is served as the minors have been produced before this Court and the custody of one minor namely Hamza has been handed over to the applicant/mother; however, the other minors namely baby Aroona, master Musawar, and baby Iqra are reluctant to go with their mother/applicant. Primarily, the purpose of filing this Habeas Corpus Petition has been served and the applicant-mother may approach the learned Guardian & Wards Court to have permanent custody of the minors and upon approach, the learned Guardian and Wards Court shall decide the issue of permanent custody of the minors

within 15 days positively without fail. However, in the intervening period, the applicant/mother shall be allowed to meet with her minor children without resistance on the part of respondent No.03 and he will not create any bottleneck in such meeting with the minors. He shall also have a right to meet with minor Hamza, whose custody is now with the applicant/mother.

3. This Criminal Miscellaneous Application stands disposed of in the above terms.

JUDGE

Ali Sher