

**IN THE HIGH COURT OF SINDH
CIRCUIT COURT MIRPURKHAS**

Criminal Misc. Application No.S-483 of 2024
(Sht. Heer Bai Vs. SSP Mirpurkhas & others)

DATE ORDER WITH SIGNATURE OF JUDGE

Date of hearing and Order 28.08.2024

Mr. Wishan Das Kolhi advocate for the applicant a/w applicant.
Ms. Nazeeran Soomro advocate for the respondent No.3 a/w
respondent No.3.
Mr. Dhani Bakhsh Mari, Assistant P.G a/w ASI Ahsan Ali of PS
Naukot.
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ORDER

Adnan-ul-Karim Memon, J. Through this Criminal
Miscellaneous Application, the applicant sht. Heer Bai is seeking recovery
of her minor daughters namely Pardia aged 06 years, Karishna aged 05
years, Armeela aged 03 years, Pooja aged 02 years, and son Chaman aged 04
years.

2. In compliance of Order dated 12-08-2024, ASI Ahsan Ali of P.S
Naukot recovered and produced alleged detainees/minors namely Pardia,
Karishna, Chaman, Armeela, and Pooja before this Court along with report
and mashirnama of recovery. Meanwhile, respondent Ramesh, who is the
real father of the detainees/minors, refuted the claim of the petitioners and
stated that the minors/detainees were/are residing with him and are in his
lawful custody. He further submitted that the marriage between the parties
is still intact; however, the applicant voluntarily left his house and now is
living with her parents. The aforesaid stance has been refuted by the
applicant with the narration that she has been maltreated by the respondent
Ramesh who drove her away from his house and now is not allowing her to
meet with her minor children. When confronted with this ordeal of the
applicant to the respondent Ramesh, who submits that he will allow the
applicant to meet with her minor children without his resistance and is now
ready to take her back to his house and has ensured that he will not act
prejudicial the interest of the applicant and intends to live with her
amicably. This proposal seems to be reasonable and acceded to.

3. After arguing the matter at some length, both parties agreed for the disposal of the instant Criminal Miscellaneous application that custody of minors/ alleged detainees named above be handed over to their mother/ applicant Shrimati Heer Bai. They further agreed that they would bury their hatchet and settle their dispute outside the court without intervention of this Court and no harassment shall be caused to each other. Respondent No.3, present in court, states that he will reside with his wife/ applicant Shr. Heer Bai amicably without any pressure.

4. In view of the above, custody of minors/ alleged detainees named above is handed over to their mother/ applicant. However, respondent No.3 Ramesh is directed to furnish P.R.Bond in the sum of Rs.10,00,000/= (Rupees Ten Lacs Only) before the Additional Registrar of this court to the effect that no harassment shall be caused to the applicant and minors and he will allow the applicant to live with him happily without resistance.

5. Instant Criminal Miscellaneous application stands disposed of in the above terms.

JUDGE

“Saleem”