

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD
C.P.NO.D-265 OF 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on MA-1350/2017
2. For orders on MA-1351/2017
3. For katcha peshi.
4. For orders on MA-1352/2017

07.02.2017

Mr. Amjad Ali Sahito, Advocate for petitioners.
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1. Granted.
2. Granted subject to all just exceptions.
- 3&4. Notice to respondents No.2 to 4 as well as A.A.G and A.P.G for

07.03.2017.

JUDGE

JUDGE

Shahid

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD
C.P.NO.D-188 OF 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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| 1. For orders on MA-1410/2017
2. For orders on MA-1038/2017
3. For orders on MA-1039/2017
4. For katcha peshi. | |
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07.02.2017

Mr. Amjad Ali Sahito, Advocate for petitioners.

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1. Granted.

3. Granted subject to all just exceptions.

2&4. Learned Advocate for petitioners, *inter alia*, submitted that three murders have been committed by the proposed accused and the petitioners approached the concerned SHO for registration of the FIR as cognizable offence has been committed but the said SHO refused to register the FIR. Thereafter, the petitioners approached the learned IVth Additional Sessions Judge/Ex-Officio Justice of Peace, Dadu by submitting application under Section 22-A&B Cr.P.C for seeking appropriate directions to the SHO for registration of the FIR but he dismissed the application of the petitioners/applicants vide impugned order dated 19.01.2017. It is further submitted that since the cognizable offence has been committed, the SHO concerned may be directed to register the FIR.

Let at the first instance notice be issued to the respondents, A.A.G as well as D.P.G for 07.03.2017.

JUDGE

JUDGE

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD
C.P.NO.D-2065 OF 2012

DATE	ORDER WITH SIGNATURE OF JUDGE
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For hearing of MA-6253/2013

07.02.2017

None present for petitioners.
Mr. Ali Abbas Memon, State Counsel.

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Learned State Counsel has filed the comments on behalf of
official respondents No.5, 8, 9 & 12, which are taken on record. Petitioner and
his Counsel are called absent.

Adjourned.

JUDGE

JUDGE

Shahid

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD
Cr. Misc. Appln. No.D-461 of 2016

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on office objection.
2. For hearing.

07.02.2017

Mr. Ali Gohar Khokhar, Advocate alongwith applicant.

Mr. Shahzad Saleem Nahiyoon, A.P.G a/w Inspector Muhammad Sadiq SHO P.S Bhan, PC Rajib Ali of P.S Bhan and SIP Ghulam Abbas o/b SSP Jamshoro.

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Learned Advocate for applicant submits that Zameer, the brother of the applicant, after filing of the instant criminal miscellaneous application, has been released by the Police and his another brother namely Shahmeer is in illegal detention of Inspector Muhammad Sadiq, SHO P.S Bhan and the case is pending before this Court, which is fixed on 10.02.2017. Comments alongwith certain documents filed by respondent No.3 are taken on record.

To come up on 10.02.2017 alongwith aforesaid case.

JUDGE

JUDGE

Shahid

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD
Cr. Misc. Appln. No.D-292 of 2016

DATE	ORDER WITH SIGNATURE OF JUDGE
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For hearing.

07.02.2017

None present for applicant.

Mr. Shahzado Saleem Nahiyoon, A.P.G a/w Inspector Manzoor Ali o/b of SSP Hyderabad.

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None appeared for applicant. Respondent No.6 SSP Hyderabad has filed the comments, in which it is mentioned that the alleged detinue namely Muhammad Israr Shahani is involved in a bank dacoity case and voluntarily he has gone underground. However, it is the duty of the Police to trace him out.

Adjourned.

JUDGE

JUDGE

Shahid

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD
Cr. Misc. Appln. No.D-241 of 2016

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on office objections.
2. For hearing.

07.02.2017

None present for applicant.

Mr. Shahzado Saleem Nahiyoon, A.P.G a/w Inspector Ghulam Raza Mari of CIA Hyderabad and o/b of Incharge CIA Hyderabad, ASI Ghulam Nabi Panhwar of CIA Hyderabad and ASI Behramuddin Dahani of P.S Jamshoro.

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Applicant and his Counsel are not in attendance. It appears that instant criminal miscellaneous application has been filed by applicant Mst.Raheeman on the ground that Zaffar Ali is in illegal detention of CIA Police Hyderabad. The Incharge CIA Hyderabad has filed report, in which it is stated that Zaffar Ali has been arrested in a robbery case. Comments have also been filed on behalf of respondents No.1 & 2. Today, SHO P.S Jamshoro has reported that Zaffar Ali has been challaned in Crime No.128/2016 under Section 17(3) offences against property (Enforcement of Hudood Ordinance) 1979, so also another case bearing Crime No.11/2010 registered at P.S Jamshoro for offence under Section 147, 148 & 149 PPC. Therefore, this is not a case of illegal detention. No one on behalf of the applicant is in attendance and the present application is without merits. Consequently, the instant criminal miscellaneous application is dismissed being meritless.

JUDGE

JUDGE

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD
Cr. Misc. Appln. No.D-240 of 2016

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on office objection.
2. For hearing.

07.02.2017

Mr. Muhammad Ali Rind, Advocate for applicant.

Mr. Shahzado Saleem Nahiyoon, A.P.G a/w Dhani Bux Mari
SHO P.S Tando Ghulam Ali.

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Learned Advocate for applicant under instructions does not press the instant criminal miscellaneous application. Accordingly, the instant criminal miscellaneous application is dismissed as not pressed.

JUDGE

JUDGE

Shahid

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD
Cr. Bail appln. No.D-56 of 2016

DATE	ORDER WITH SIGNATURE OF JUDGE
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For hearing.

07.02.2017

Syed Madad Ali Shah, Advocate for applicant.
Mr. Shahzado Saleem Nahiyoon, A.P.G

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Syed Tarique Ahmed Shah, Advocate has filed Vakalatnama on behalf of complainant, which is taken on record. Learned Advocate for applicant seeks time for preparation.

Adjourned to a date in office.

JUDGE

JUDGE

Shahid

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD
Cr. Bail Appln. No.D-53 of 2016

DATE	ORDER WITH SIGNATURE OF JUDGE
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For hearing.

07.02.2017

Mr. Muhammad Irfan Awan, Advocate for applicant.
Mr. Shahzado Saleem Nahiyoon, A.P.G

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Learned Advocate for applicant submits that applicant Fazal Muhammad has been acquitted by the Trial Court and the present bail application has become infructuous. Accordingly, the instant criminal bail application is dismissed being infructuous.

JUDGE

JUDGE

Shahid

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD
Cr. Appeal No.D-28 of 2016

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on office objections.
2. For hearing of MA-2354/2016

07.02.2017

Syed Roshan Ali Shah Bukhari, Advocate for appellant.
Mr. Shahzad Saleem Nahiyoon, A.P.G

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It is informed by the office that paper book has already been prepared. Learned Counsel for appellant shall come prepared for hearing of the appeal as well as application under Section 426 Cr.P.C.

Adjourned.

JUDGE

JUDGE

Shahid

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD
Cr. Misc. Appln.No.D-515 of 2015

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on MA-9322/2015
2. For orders on office objections.
3. For hearing.

07.02.2017

Mr. Pirbhulal U. Goklani, Advocate for applicant.

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Mr. Pirbhulal U. Goklani, Counsel for applicant does not press the
instant criminal miscellaneous application, the same is dismissed as not pressed.

JUDGE

JUDGE

Shahid

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD
Cr. Bail Appln. No.D-113 of 2014

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on office objections.
2. For hearing.

07.02.2017

Mr. Pervez Tarique Tagar, Advocate alongwith applicant.
Mr. Shahzado Saleem Nahiyoan, A.P.G

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Applicant/accused Syed Fida Hussain Shah is present on interim pre-arrest bail. Learned Counsel for applicant submits that case has been transferred from Anti-Terrorism Court to the ordinary Court of jurisdiction and seeks time to place on record copy of the order passed by the learned Judge, Anti-Terrorism Court. Time is allowed.

To come up on 16.03.2017 for confirmation or otherwise.

JUDGE

JUDGE

Shahid

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD
Cr. Bail Appln. No.D-59 of 2012

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on office objection.
2. For hearing.

07.02.2017

Mr. Nisar Ahmed Durani, Advocate for applicants alongwith applicants Aneel Kumar and Muhammad Umer.

Mr. Fazal Hussain Jamali, State Counsel.

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Applicants/accused Aneel Kumar and Muhammad Umer are present on interim pre-arrest bail, while applicant/accused Gul Mir is not in attendance. Mr. Nisar Ahmed Durani, Advocate appearing on behalf of the applicants/accused submits that he could not inform the date of hearing to applicant/accused Gul Mir.

In view of above, the absence of applicant/accused Gul Mir is excused for today with direction that he shall be careful in future. Learned Advocate for applicants/accused through his statement has filed certified true copies of the depositions of the prosecution witnesses. Let the copies be supplied to the other side.

Adjourned to 16.03.2017 for confirmation or otherwise. In the meantime, progress report shall be called from the Trial Court.

JUDGE

JUDGE

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD
Cr. Bail Appln. No.D-18 of 2009

DATE	ORDER WITH SIGNATURE OF JUDGE
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For hearing of MA-391/2017

07.02.2017

Applicant/Surety present in person.
Mr. Shahzado Saleem Nahiyoon, A.P.G

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Learned A.P.G seeks time to go through the record. Time is
allowed.

Adjourned.

JUDGE

JUDGE

Shahid

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD
C.P.NO.D-259 OF 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on MA-1301/2017
2. For orders on office objections.
3. For orders on MA-1302/2017
4. For katcha peshi.

07.02.2017

Mr. Faisal Nadeem Abro, Advocate for petitioner.

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1. Granted.
2. Deferred for the time being.
3. Granted subject to all just exceptions.
4. Learned Advocate for petitioner shall satisfy the Court as to how he has approached this Court directly without exhausting the remedy available to him under the law. However, notice to the respondents, A.A.G as well as D.P.G for 20.03.2017.

JUDGE

JUDGE

Shahid

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD
C.P.NO.D-197 OF 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on MA-1028/2017
2. For orders on MA-1029/2017
3. For katcha peshi.
4. For orders on MA-1030/2017

07.02.2017

Mr. Umaid Ali Khawaja, Advocate holding brief for Mr. Ayatullah Khawaja, Advocate for petitioner, states that latter is busy before the Principal Seat at Karachi.

Adjourned.

JUDGE

JUDGE

Shahid

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD
C.P.NO.D-170 OF 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on office objections.
2. For katcha peshi.

07.02.2017

Mr. Nisar Ali Laghari, Advocate for petitioner.

Mr. Shahzado Saleem Nahiyoan, A.P.G

Mr. Anwar H. Ansari, State Counsel a/w Inspector Manzoor Ali o/b of SSP Hyderabad and Inspector Ghulam Raza o/b of I/C CIA Hyderabad.

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Comments are filed by respondent No.6 SSP Hyderabad and respondent No.7 SHO P.S City Hyderabad, in which it is stated that efforts are being made for the recovery of the missing person on the basis of CDR. We direct the SSP Hyderabad to make more efforts for the recovery of missing person. Notice shall be issued to the remaining un-served respondents as well as D.A.G.

Adjourned to 28.02.2017

JUDGE

JUDGE

Shahid

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD
C.P.NO.D-75 OF 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on office objections.
2. For katcha peshi.
3. For hearing of MA-355/2017

07.02.2017

None present for petitioner.

Mr. Shahzado Saleem Nahiyoon, A.P.G

Mr. Anwar H. Ansari, State Counsel a/w SIP Amir Murtaza Sahito

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None appeared for petitioner. Comments are filed on behalf of respondent No.2 SSP Dadu, which are taken on record.

Mr. Ali Murtaza Babar, Advocate has filed Vakalatnama alongwith objections on behalf of respondent No.4 Mst.Hakimzadi, which are also taken on record.

Adjourned to a date in office.

JUDGE

JUDGE

Shahid

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD
C.P.NO.D-21 OF 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
	1. For orders on MA-1355/2017 2. For orders on MA-1356/2017 3. for katcha peshi.
<u>07.02.2017</u>	Mr. Naseeruddin Pathan, Advocate alongwith petitioner. =
	1. Granted.
	2. Granted subject to all just exceptions.
	3. Notice to the respondents, A.A.G as well as D.P.G for
16.03.2017	

JUDGE

JUDGE

Shahid

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD
C.P.NO.D-18 OF 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For katcha peshi.
2. For hearing of MA-299/2017

07.02.2017

Mr. Zaffar Ali Vighio, Advocate for petitioners.

Mr. Abdul Waheed Bijarani, Special Prosecutor NAB.

Mr. Aurangzeb Talpur, Standing Counsel a/w Inspector Abdul Rasheed SHO P.S Jhol District Sanghar.

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Parawise comments filed on behalf of respondent No.2 & 3 are taken on record. Repeat notice to the respondent No.4 Lakhio, to be served though Inspector Abdul Rasheed SHO P.S Jhol District Sanghar.

Adjourned to 06.03.2017.

JUDGE

JUDGE

Shahid

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD
C.P.NO.D-16 OF 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on office objections.
2. For katcha peshi.
3. For hearing of MA-93/2017

07.02.2017

Mr. Zulfiqar Ali Abbasi, Advocate for petitioner.
Mr. Abdul Waheed Bijarani, Special Prosecutor NAB
Mr. Aurangzeb Talpur, Standing Counsel.

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Learned Special Prosecutor NAB filed parawise comments on behalf of NAB, which are taken on record. Let the copies of the comments be supplied to the other side.

Adjourned to 13.03.2017.

JUDGE

JUDGE

Shahid

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD
C.P.NO.D-3564 OF 2016

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on office objections.
2. For katcha peshi.
3. For hearing of MA-20036/2016

07.02.2017

Mr. Muhammad Hashim Laghari, Advocate for petitioner.
Mr. Sher Muhammad Laghari, State Counsel.

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Mr. Sikandar Kolachi, Advocate holding brief for Mr. Abdul Rauf

Arain, Advocate for respondent No.2, states that latter is unwell.

Adjourned to 27.02.2017.

JUDGE

JUDGE

Shahid

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD
C.P.NO.D-3501 OF 2016

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on office objections.
2. For katcha peshi.
3. For hearing of MA-20221/2016

07.02.2017

Mr. Abdul Jabbar Charran, Advocate for petitioner.

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Notices were issued against respondents No.1 to 4. As per endorsement, the notices have been served upon respondents No.2 & 3. In the interest of justice, once again notices be repeated.

Adjourned to 20.03.2017.

JUDGE

JUDGE

Shahid

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD
Cr. Bail Appln. No.D-11 of 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on MA-1082/2017
2. For orders on MA-1083/2017
3. For hearing.

07.02.2017

Mr. Tarique Ali Narai, Advocate alongwith applicant.

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1. Granted.
2. Granted subject to all just exceptions.
3. Applicant/accused Muhammad Rashid Ansari is present alongwith his Counsel and seeks Protective Bail in Crime No.02 of 2012 registered at P.S City Hyderabad, for the offences under Sections 324, 147, 148, 149 PPC & 6/7 of Anti-Terrorism Act, 1997. It is, *inter alia*, contended that the name of the applicant/accused did not transpire in the FIR but the Police has mentioned the name of the applicant/accused in the final report as absconder for malafide reasons.

Without touching merits of the case, the applicant/accused is granted protective bail for a period of 07 days, subject to his furnishing solvent surety in the sum of Rs.50,000/- (Rupees Fifty Thousand) and P.R. Bond in the like amount to the satisfaction of the Additional Registrar of this Court. Applicant/accused is directed to surrender himself before the learned Judge, Anti-Terrorism Court, Hyderabad within the aforesaid period, till then the N.B.Ws issued against the applicant/accused shall stand suspended.

This order shall cease to have its effect on expiry of 07 days from today or whenever the applicant/accused surrenders himself before the trial Court, whichever is earlier.

Bail application stands disposed of.

JUDGE

JUDGE

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD
C.P.NO.D-335 OF 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on MA-1563/2017
2. For orders on office objection.
3. For orders on MA-1564/2017
4. For katcha peshi.
5. For orders on MA-1565/2017

07.02.2017

Mr. Mazhar Altaf Jokhio, Advocate alongwith petitioners.

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1. Granted.
2. Deferred for the time being.
3. Granted subject to all just exceptions.
- 4&5. Petitioners are present alongwith their Counsel. Learned Counsel for petitioners, *inter alia*, contended that petitioners have contracted marriage against the wishes of their parents, which has caused much annoyance to the parents of petitioner No.1. Resultantly, the brother of petitioner No.1 Mst.Mandam has lodged FIR No.05/2017 at P.S Chamber for the offences under Section 365-B & 363 PPC against her husband Shahnawaz & Others. Counsel for petitioners further submits that petitioner No.2 and his relatives apprehend their arrest in the aforesaid FIR for malafide reasons on the part of private respondents. Counsel for petitioner has also filed Nikahanama (Annexure "A" at Page 19), Affidavit of Freewill (Annexure "B" at Page-21) and FIR bearing No.05/2017 at Page-23. Petitioner No.1 Mst. Mandam present in Court has stated that she has contracted marriage out of her will and consent. She further states that neither she has been abducted by any one nor she was pressurized by petitioner No.2 Shahnawaz for marriage.

Issue notice to the respondents as well as A.A.G and D.P.G.
In the meantime, it is ordered that no one nominated in the aforesaid crime shall be arrested till next date of hearing. I.O of the crime shall record statement of Mst.Mandam well before the next date and shall appear before this Court on the next date. It is further ordered that police officials shall provide protection to the petitioners.

To come up on 02.03.2017. Copy of this order be communicated to the SSP Tando Allahyar by fax for information and compliance.

JUDGE

JUDGE

Shahid

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD
C.P.NO.D-334 OF 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on MA-1561/2017
2. For orders on office objections.
3. For orders on MA-1562/2017
4. For katcha peshi.

07.02.2017

Mr. Asif Ali Talpur, Advocate for petitioner.
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1. Granted.
2. Deferred for the time being.
- 3&4. Notice to the respondents, D.A.G as well as Special Prosecutor
NAB for 23.02.2017.

JUDGE

JUDGE

Shahid

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD
C.P.NO.D-329 OF 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
	1. For orders on MA-1536/2017 2. For orders on MA-1537/2017 3. For katcha peshi.
<u>07.02.2017</u>	Mr. Nouman Sahito, Advocate for petitioner. =
	1. Granted.
	2. Granted subject to all just exceptions.
	3. Notice to the respondents as well as A.A.G and D.P.G for
17.02.2017.	

JUDGE

JUDGE

Shahid

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD
C.P.NO.D-331 OF 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on MA-1541/2017
2. For orders on MA-1542/2017
3. For katcha peshi.
4. For orders on MA-1543/2017

07.02.2017

Mr. Sulleman Dahri, Advocate alongwith petitioners.

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1. Granted.
2. Deferred for the time being.
3. Granted subject to all just exceptions.
4. Petitioners are present alongwith their Counsel. Learned Counsel for petitioners, *inter alia*, contended that petitioner No.1 Mst. Faiza has contracted marriage with petitioner No.2 namely Samiullah against the wishes of her parents. Copy of Nikahnama, Affidavit of Freewill and FIR bearing Crime No.07/2017 registered at P.S Pinyari for the offences under Section 365-B & 34 PPC have been annexed alongwith petition as Annexures "A", "B & "C" at Pages-25, 29 & 33 respectively. It is further contended that on account of such un-ceremonial marriage, much annoyance was caused to the brother of petitioner No.1 namely Muhammad Farhan, who has lodged the aforesaid FIR against petitioner No.2 Samiullah and his relatives and they apprehend their arrest for the malafide reasons. It is further stated that petitioner No.1 Mst. Faiza has categorically stated that neither she has been abducted nor was compelled by petitioner No.2 Samiullah for contracting marriage. She further stated that her brother has lodged the aforesaid FIR against her husband to pressurize her.

Issue notice to the respondents as well as A.A.G and D.P.G.
In the meantime, it is ordered that no one nominated in the aforesaid crime shall be arrested till next date of hearing. I.O of the crime shall record statement of Mst.Faiza well before the next date and shall appear before this Court on the next date. It is further ordered that police officials shall provide protection to the petitioners in accordance with law.

To come up on 01.03.2017. Copy of this order be communicated to the SSP Hyderabad by fax for information and compliance.

JUDGE

JUDGE

Shahid

