

(57)

ORDER SHEET
IN THE HIGH COURT OF SINDH CIRCUIT COURT LARKANA
Const. Petition No. D-796 of 2016

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on office objection 'A'

2. For Katcha Peshi.

06.10.2016

Mr. Qazi Sajid Ali M. Qureshi, Advocate for the petitioners.
Mr. Shafi Muhammad Chandio, Addl. A.G along with SIP Muhammad
Javed Khan, SHO PS Qaid-e-Abad, Maleer, Karachi.
Mr. Ahmed Bux Abro, Advocate for the Respondent No.7.

SHO Police Station Qaid Abad, District Maleer is present and submits his comments wherein it has been stated that on 22.6.2016 complainant Noor Muhammad son of Muhammad Soomar Magsi lodged F.I.R bearing Crime No.144/2016 under Section 496-A, P.P.C alleging therein that he married with Mst. Husna, the petitioner No.1, seven years ago and out of the said wedlock there is a son namely Noor Hassan and one daughter Kainat. On 12.6.2016 he went out for his duty and when he was on duty his father-in-law Haji Muhammad Nawaz Magsi informed him on cell phone that his children were weeping and his wife Mst. Husna, the petitioner No.1, was not in house. The FIR was investigated by ASI Muhammad Ejaz, who subsequently disposed of the same in 'A' class vide final report No.59 dated 20.7.2016.

The petitioner No.1 is present in person and submits that she has already been divorced by her first husband, namely, Noor Muhammad and it was thereafter she contracted second marriage with petitioner No.2. She further submits that she has neither been kidnapped nor abducted and she has contracted marriage with petitioner No.2 with her sweet will.

Be that as it may, we dispose of this petition directing the Respondents No.1 to 4 not to harass the petitioners. Respondent No.7 is



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however at liberty to avail remedy available to him under the usual mode of proceedings if the petitioner No.1, as according to him, contracted marriage during subsistence of her first marriage.

The petitioner No.1 submits that her relatives are present outside the Court and she apprehends danger to her life. Learned Additional AG present in Court undertakes to provide necessary protection to the petitioner for their destination.

Constitution petition stands disposed of in the above terms.



Judge



Judge

*Abid H. Qazi/***