

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

Constitutional Petition No.D-781 of 2024
(Mst. Nazia Vs. Province of Sindh & others)

DATE ORDER WITH SIGNATURE OF JUDGE

For orders on M.A. No.1293/24. (Contempt)

Before;
Adnan-ul-Karim Memon, J
Amjad Ali Bohio, J

Date of hearing and order 23.09.2024

Mr. Nadeem Abbasi advocate for petitioners.

Mr. Ayaz Ali Rajpur, A.A.G Sindh.

Mr. Dhani Bakhsh Mari Assistant Prosecutor-General, Sindh, a/w SIP

Rajab Ali Khoso of PS Steel Town, Karachi.

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ORDER

Adnan-ul-Karim Memon, J. The petitioners have stated that they have entered into marriage voluntarily and with their consent. They have also requested that the listed application be disposed of as the Investigating officer has recommended the case to be disposed of under C-class case and the Magistrate is required to issue the appropriate order on the final report submitted by the Investigating Officer under section 173 Cr. P.C. within one week.

2. Primarily, this is a free and democratic country, and once a person becomes a major he or she can marry whosoever he/she likes. If the parents of the boy or girl do not approve of such inter-caste or inter-religious marriage the maximum they can do is they can cut off social relations with the son or the daughter, but they cannot give threats or commit or instigate acts of violence and cannot harass the person who undergoes such inter-caste or inter-religious marriage. We, therefore, direct that the administration/police authorities will see to it that if any boy or girl who is a major undergoes inter-caste or inter-religious marriage with a woman or man who is a major, the couple is not harassed by anyone nor subjected to threats or acts of violence, and anyone who gives

such threats or harasses or commits acts of violence either himself or at his instigation, is taken to task by instituting criminal proceedings by the police against such persons and further stern action is taken against such persons as provided by law. However, the above observation is without prejudice to the legal rights of the parties, if any, pending before the competent court of law.

3. In view of the above the listed application is disposed of with direction to the concerned Magistrate to pass the appropriate order in terms of the statement of Mst Nazia (Petitioner No.1) within one week without fail.

JUDGE

JUDGE

Ali Sher