

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

Constitutional Petition No. D- 1485 of 2024
(*Ali Gul v Province of Sindh & others*)

Date Order with signature of Judge

Before:
Mr. Justice Salahuddin Panhwar
Mr. Justice Adnan-ulKarim Memon

Date of hearing and Order:- 13.11.2024

Petitioner in person
Mr. Ali Hyder Saleem, Addl.P.G
Mr. Pir Riaz Muhammad DAG
Mr. Jan Muhammad Khuro Addl. AG

ORDER

Adnan-ul-Karim Memon, J Petitioner Ali Gul seeks court intervention under Article 199 of the Constitution to recover his abducted daughters from private respondents and cease threats against him. He requests legal protection.

The grievance of the petitioner is that his daughters were repeatedly abducted and one was poisoned. Despite lodging an FIR, his daughters remain missing. The petitioner seeks this court's intervention to recover his missing daughters and bring the perpetrators to justice.

Police official present in court states that Zakia Gul (Detenue 1) married Imran, Shafia Gul (Detenue 2) married Maqbool Hussain in Bahawalpur. Takia Gul (Detenue 3) and Asia Gul (Detenue 4) were murdered. According to the Investigating Officer, Asia Gul (Detenue 4) was murdered. FIR 157/2017 was registered under sections 302 and 34 PPC at SSHTA Karachi Police Station. I.O further states that the alleged detenue has contracted marriage and residing in the Province of Punjab along with two daughters.

Section 491 of the Cr.P.C. empowers the High Court to issue writs of habeas corpus, which are used to challenge the legality of a person's detention. It provides a remedy for those who believe they are being unlawfully detained, whether by the government or private individuals. The primary purpose of Section 491 Cr.P.C is to ensure that the person is detained under due process of law. And the detention is not based on whim or caprice.

Before parting with this order it is directed that the Police officials shall endeavor to contact with detenue and allows her to meet with her father/petitioner and ensure no harm is caused to her by either party and if

any harassment is caused to her by any of the parties the police shall act swiftly.

In view of the statement of the Investigating officer, no case of illegal detention is made out and the purpose of filing the instant petition under Article 199 read with section 491 Cr. P.C. has been served; therefore, the same stands disposed of.

JUDGE

JUDGE

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