

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

CP No. D-5309 of 2024
(Mst. Sidra and another v State & others)

Date Order with signature of Judge

Before:-

Mr. Justice Salahuddin Panhwar

Mr. Justice Adnan-ul-Karim Memon

Date of hearing:- 25.11.2024

Mr. Abdul Hameed Gopang advocate for the Petitioners along with petitioners.

Mr. Hakim Ali Shaikh AAG along with PI Shokat Ali and I/O Nisar Ahmed Khuhro of PS Sukhan.

Mr. Ali Hyder Saleem Addl.P.G

ORDER

Adnan-ul-Karim Memon, J: Petitioner No.1 Sidra and Petitioner No. 2 Nooruddin have approached this court, seeking direction to the police officials not to cause harassment to them at the behest of private respondents No. 5. They also seek cancellation of FIR No. 536 of 2024 registered for offenses under section 365-B, PPC of PS Sukhan, Malir Karachi.

2. Petitioners are present with their counsel. It is inter alia submitted that Petitioner No.1 Mst. Sidra had contracted marriage with Petitioner No.2 Nooruddin against the wishes of her parents. It is further contended that the father of petitioner No.1/Respondent No.5 was unhappy with such marriage and he approached SHO PS Sakhan, where FIR No. 536 of 2024 registered for offenses under section 365-B, PPC was lodged against petitioner No. 2. Petitioner No.1 apprehends that petitioner No.2 and his relatives may be arrested by the police in a false case.

3. The Investigating officer present in court submits that he has recommended the case under C Class vide report dated 29.10.2024 to the concerned Magistrate for appropriate orders.

4. We have heard the learned counsel for the parties present in court and perused the record with their assistance.

5. In view of the statement of the parties, coupled with the report of the Investigation officer to the effect that the case has been recommended for C Class, therefore, the proceedings arising out of FIR No. 536 of 2024 registered for offenses under section 365-B,

PPC needs to be quashed. The request seems to be reasonable and acceded to, however, such order shall be passed by the Magistrate on the report submitted under section 173 Cr. P.C. within one week.

6. In view of the above, this Constitutional Petition is disposed of

JUDGE

JUDGE

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