ORDER SHEET

IN THE HIGH COURT OF SINDH AT KARACHI

CP NO.D-3592/2024

Date	Order with signature of Judge

14.10.2024

Mr. Rafiq Ahmed advocate for petitioner.
Mr. Ali Haider Saleem Additional Prosecutor General.
Mr. Altaf Ahmed Shar, Assistant Attorney General
Mr. Irshad Ahmed Shaikh, AAG.

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Mr. Zahoorul- Hussain Sangi advocate files Vakalatnama on behalf of respondent No.5, taken on record.

2. Heard, perused the record.

3. Petitioner No.1 is claiming marriage with petitioner No.2 whereas private respondent Jahangir filed suit for jactitation of marriage which culminated by judgment dated 22.12.2023 whereby suit was dismissed. Claim of the respondent is that petitioner No.1 contracted marriage when she was already in marriage with him; that aspect cannot be decided in criminal jurisdiction until declaration is sought and candidly such declaration is answered as negative; besides prosecutrix's evidence through statement has been brought on record through I/O wherein she has negated the offence under section 452 and 265-B PPC in Crime No.106/2023, PS Sarhad, District Ghotki hence proceedings thereof are hereby quashed. Petition is disposed of.

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