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ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA
C. P. No.D-1284 of 2014.

DATE OF
HEARING

22.01.2015.

ORDER WITH SIGNATURE OF HON'BLE JUDGE

1. For orders on office objection.
2. For Katcha Peshi.

Mr. Ashfaque Hussain Abro, advocate for the petitioner.

Mr. Ali Akbar Kalhoro, State Counsel.

Through the instant Constitutional Petition, petitioner Sobdar Ali Shar has prayed for the following reliefs :-

- a) *direct the Respondent no.1 and 2 not to harass the petitioner and his family members and other relatives on the behest of respondent No.3 without due course of law.*
- b) *direct the respondent No.5 to provide due and legal protection to the petitioner and their parents, family members and other relatives against the ill-activities of respondents No.1 to 3 and not to take any illegal act for separating the petitioner and his wife from each other, thereby enabling the petitioner to live happy life as per their wishes.*
- c) *That, this Honourable Court may be pleased to direct the respondent No.4 to produce the detainee Mst. Mukhtiar Khatoon before this Honourable Court and after recording her statement she may be set at liberty.*
- d) *Any other relief deemed fit and appropriate under the circumstances of the case.*

Notices were issued to the respondents as well as Addl. A. G. Mr. Ali Hassan Jamali, advocate, files Vakalatnama on behalf of Mst. Imdad Khatoon wife of Shaman Ali, who is mother of Mst. Mukhtiar Khatoon.

Today, Mst. Mukhtiar Khatoon is produced by Incharge, Dar-ul-Aman, Sukkur and her statement is recorded, in which she has categorically stated that about 05 months back she left the house of her father situated in Village Muhammad Saleh, Taluka Khanpur, District Shikarpur and joined Sobdar Ali and married with him against the wishes of her parents at Ghotki, where such Nikah was performed. After



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03 days of such marriage she has stated that Khanpur Police came to Ghotki and detained her husband. She was produced before a Court at Ghotki, where her statement was recorded and she was sent to Dar-ul-Aman. Mst. Mukhtiar Khatoon has categorically stated that she is wife of the petitioner Sobdar Ali and would pass happy life with him.

After hearing learned Counsel for the petitioner, Mr. Ali Akbar Kalhoro, learned State Counsel and Mr. Ali Hassan Jamali, learned advocate for Mst. Imdad Khatoon. Mst. Mukhtiar Khatoon being *sui juris* cannot be detained at Dar-ul-Aman against her wishes. She is set at liberty to go with Sobdar Ali, who is her husband. Copy of the Nikahnama has also been placed on the record. S.S.P., Shikarpur shall provide legal protection to Mst. Mukhtiar Khatoon and her husband Sobdar Ali in accordance with law.

The petition accordingly stands disposed of.

JUDGE

JUDGE