

ORDER SHEET
IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR.
Const. Petition No. S- 09 of 2025
(Mst. Aminat vs. P.O Sindh and others)

DATE

ORDER WITH SIGNATURE OF HON'BLE JUDGE

Date of Hearing & Order : 17.02.2025.

Mr. Illahi Bux Maitlo, Advocate for petitioner.

Mr. Saeed Ahmed Wassan, Assistant Advocate General Sindh along with Inspector Manzoor Alam Abro, I.O, SIP Dhani Bux Bhutto on behalf of S.S.P Sukkur, Inspector Aftab Ahmed Shaikh on behalf of DIGP Sukkur and Inspector Mukhtiar Ahmed Jogi of PS 'B' Section Ghotki.

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O R D E R

Adnan-ul-Karim Memon J:- The Petitioner Mst. Aminat requests that this Court to direct the official respondents to personally appear and issue strict orders for the immediate arrest of absconders/Respondents 8 to 14, who are accused in Crime No. 26/2022 (Sections 365, 376, 148, and 149 of the PPC) at the Sangrar Police Station, and to ensure their subsequent arrest and prosecution before the court of law. Petitioner also seeks direction to Respondents 2-7 to provide legal protection to her and family from the threats and actions of Respondents 8 to 14.

2. Counsel for the petitioner states that a dispute exists between the Petitioner's family and Respondent No. 8 concerning a court marriage. This dispute led to threats against the Petitioner's family, culminating in the kidnapping of the Petitioner and her husband on December 19, 2022, by the accused: Muhammad Qasim Maitlo, Sher Muhammad, Dur Muhammad, Sajjid, Zameero, Nawab, Asghar, Barkat Ali, and two unidentified individuals, in this regard FIR No. 26/2022, under Sections 365, 148, and 149 of the PPC, was filed at the Sangrar Police Station in Sukkur District (Annex "A"). He argued that due to the accused's influence and connections with the police, no arrests were made. Consequently, the Petitioner's son, Gulzar @ Jind wado Maitlo, filed C.P. No. S-234/2022 in this Court seeking the recovery of the Petitioner and her husband. Following the Court's intervention, Respondents 3-7 recovered the couple (Annex "B" and "C"). He added that the Petitioner and her husband were presented before the Magistrate/II Civil Judge Rohri, where she recorded her statement under Section 164 of the Cr.P.C., alleging *zina bil jabr* and the receipt of *bhung* (Annex "D" and "D1"). He submitted that of the ten accused, only Sajjid @ Sajjan Maitlo has been arrested. The remaining seven, including Muhammad Qasim, Sher Muhammad, Dur Muhammad,

Zameero, Nawab, Asghar, Barkat Ali, and two unidentified individuals, remained at large (Annex "E"). He submitted that the case is pending before learned District and Sessions Judge Sukkur, but only one accused is shown to be arrested; the others are still absconding (Annex "F"). He submitted that these absconding accused have repeatedly harassed the Petitioner's family, including interfering with court appearances in Case/Cr. No. 26/2022 at the Sangrar Police Station. Following a recent incident where they followed the Petitioner and other witnesses after a hearing, the Petitioner filed applications with higher authorities seeking protection and the arrest of the absconding accused (Annex "G"). He argued that despite the Petitioner and the complainant's appeals to Respondents 2-7, the police have failed to apprehend the absconders, who continued to issue death threats and engaged in further intimidation tactics. The Petitioner fears for her life and the safety of her family and prayed for allowing the petition.

3. The police officials present in court stated that they will make efforts to arrest the absconding accused, by the trial court's order. The trial court is directed to ensure the arrest of the absconders in this case, if any. Furthermore I note that the order dated October 14, 2015 passed in Constitutional Petitions No. S-618 of 2012 and related petitions (S-65, 74, 79, 134, 164, 226, 284, 337, 697, 814, 834, 845, 932, and 1079 of 2015), the Inspector General of Police, DIGPs, and SSPs concerned were directed to take the following actions in two phases:

Phase 1:

- i. Maintain accurate registers as required by Chapter XXIII of the Police Rules, 1934, at every police station or relevant location.
- ii. Conduct regular inspections of these registers.
- iii. Monitor progress, reward effective action, and address negligence.
- iv. Upon completion of proceedings under Section 88 Cr.P.C, work with the relevant Mukhtiarkar or Revenue authority to attach the properties of proclaimed offenders.
- v. Create user-friendly websites with details of proclaimed offenders and absconders wanted by the courts and police stations in each district. These websites should allow private informants to submit information directly and simultaneously to the relevant Investigating Officer, Police Station, SSP, and District & Sessions Judge, while ensuring the informant's anonymity.
- vi. Publicize these websites in electronic and print media, encouraging public cooperation in apprehending these individuals and guaranteeing informant anonymity.
- vii. Regularly update the information on these websites.

Phase 2:

The same officials are further directed to:

- a. Establish dedicated "Cells" at the district and division levels to maintain records of these individuals, equipped with modern technology.
- b. These Cells will collaborate with NADRA to obtain data on these individuals.
- c. In consultation with the Member, Board of Revenue, Sindh, the Cells will develop a mechanism to obtain property details and initiate attachment proceedings.
- d. In consultation with the State Bank, the Cells will develop a network to obtain bank account details and forward this information to the relevant court/authority for attachment/seizure orders, as this money falls under Section 88(3)(a) of the Code.

e. The Cells will share details of proclaimed offenders with the FIA for inclusion on the Exit Control List.

4. In view of above facts and circumstances of the case, this petition is disposed of in the above terms.

JUDGE

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ORDER SHEET
 IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR.
 Criminal Misc. Application No. S- 550 of 2023

DATE	ORDER WITH SIGNATURE OF HON'BLE JUDGE
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For hearing of main case.

22.04.2024.

Mr. Shabbir Ali Bozdar, Advocate for the Applicant.

Mr. Ubedullah Ghoto, Advocate for Respondents Nos. 3 to 5.

Mr. Gulzar Ahmed Malalno, Assistant Prosecutor General.

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After arguing the matter at some length, both the parties agreed for disposal of instant Criminal Misc. Application in terms that matter has been referred by 1st Civil Judge & Judicial Magistrate Ubauro in Charge sheet No. Nil of 2023 whereby he has accepted the report under section 173 Cr.P.C wherein the names of respondents Nos. 3 to 5 were kept in column No.2 of the charge sheet. Concerned Sessions Judge is directed to see pros and cons of the case and to also to see whether the charge sheet wherein the names of respondents Nos. 3 to 5 kept in column No.2 has rightly be accepted. The decision shall takes place within two (02) weeks.

The instant Criminal Misc. Application is disposed of in the above terms.

JUDGE

ORDER SHEET
 IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR.
 Criminal Rev. Application No. S- 50 of 2023

DATE	ORDER WITH SIGNATURE OF HON'BLE JUDGE
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1. For orders on office objections at Flag 'A'.
2. For hearing of main case.

22.04.2024.

Mr. Shabbir Ali Bozdar, Advocate for Applicants.

Mr. Ubedullah Ghoto, Advocate for complainant.

Mr. Shafi Muhammad Mahar, Deputy Prosecutor General.

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Applicants, namely, Abdul Aziz alias Aziz and Abdul Shakoor are present in Court on bail. Complainant Muneer Ahmed is also present. Let at the first instance paper book be prepared and thereafter parties are directed to appear before this Court and assist on the subject issue.

To come up on **13.05.2024.**

JUDGE

ORDER SHEET
IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR.
Criminal Appeal No. S- 75 of 2023

DATE	ORDER WITH SIGNATURE OF HON'BLE JUDGE
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For hearing of main case.

22.04.2024.

Mr. Achar Khan Gabol, Advocate for the Appellant.

Mr. Gulzar Ali Malano, Assistant Prosecutor General.

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This is a second round of litigation and complainant is unable to appear and assist the Court rather he is avoiding to appear. SHO of Police Station concerned is directed to produce him positively on the next date of hearing. In case of failure, S.S.P Naushehro Feroze shall take strict action against SHO concerned.

To come up on **13.05.2024.**

JUDGE

ORDER SHEET
IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR.
Criminal Misc. Application No. S- 217 of 2023

DATE	ORDER WITH SIGNATURE OF HON'BLE JUDGE
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1. For orders on office objections.
2. For hearing of main case.
3. For hearing of MA No.1969/2024 (S/A)
For hearing of main case.

22.04.2024.

Mr. Manzoor Ahmed Soomro, Advocate for the Applicant

Syed Altaf Shah associate of Mr. Sundar Khan Chachar, Advocate
for private respondent.

Mr. Gulzar Ahmed Malalno, Assistant Prosecutor General.

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Both the parties are agreed for disposal of the instant Criminal Misc. Application on the premise that parties have compromised the matter outside the Court, therefore, respondent No.8 / complainant does not intend to prosecute the accused party in the matter.

In view of the above statement of the parties, the instant Criminal Misc. Application is disposed of with directions to SHO Police Station concerned not to act on the application of complainant, as per statement of complainant.

JUDGE

ORDER SHEET
 IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR.
 Criminal Misc. Application No. S- 217 of 2023

DATE	ORDER WITH SIGNATURE OF HON'BLE JUDGE
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1. For orders on office objections.
2. For hearing of main case.
3. For hearing of MA No.1969/2024 (S/A)
For hearing of main case.

22.04.2024.

Mr. Manzoor Ahmed Soomro, Advocate for the Applicant

Syed Altaf Shah associate of Mr. Sundar Khan Chachar, Advocate
for private respondent.

Mr. Gulzar Ahmed Malalno, Assistant Prosecutor General.

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Both the parties are agreed for disposal of the instant Criminal Misc. Application on the ground that parties have compromised the matter outside the Court, therefore, respondent No.8 / complainant does not intend to prosecute the accused party in the matter.

In view of the above statement of the parties, the instant Criminal Misc. Application is disposed of with directions to SHO Police Station concerned not to act on the application of complainant.

JUDGE

