

ORDER SHEET
IN THE HIGH COURT OF SINDH CIRCUIT COURT LARKANA

Const. Petition No. S- 432 of 2024
(Mst. Zakia Bibi v. SHO, PS Rehmatpur & Ors)

DATE	ORDER WITH SIGNATURE OF JUDGE
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For Direction

1. For orders on office objection 'A'
2. For orders on maintainability of main case.

Date of hearing and Order :10.03.2025

Nemo for the petitioners.
Nemo for the private respondents.
Mr. Abdul Waris K. Bhutto, Assistant AG for the State.

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ORDER

Adnan-ul-Karim Memon, J; Petitioner Mst. Zakia was divorced from her previous husband in 2017 year 2017 and then she resided with her parents. Petitioner has narrated her ordeal with the submission that she has contracted an unceremonious freewill marriage with petitioner No.2 Muhammad Afzal Solangi in Larkana town. Their nikah has been performed and presently they are residing in Nazar Mohalla, Larkana. However, the official respondents are harassing them at the behest of the private respondents. Photocopies of nikahnama and an affidavit of free will have been placed on record.

2. In view of such a state of affairs, this Court is of the tentative view that this is a harassment case, emphasizing that harassment encompasses a broad range of harmful actions. This Court stressed the police department's responsibility, particularly the Senior Superintendent of Police (SSP), to address such issues. While the petitioners have a fundamental right to protection from both police and private harassment, this court clarified that the police retain full authority to act legally if either party commits a cognizable offense.

3. Article 4 of the Constitution guarantees everyone the right to be treated according to the law, which includes fairness and the elimination of any factors that obstruct legal processes. To uphold his right, this court directs the police to investigate the issue at their end, and the higher Courts have consistently condemned police harassment.

4. In view of such state of affairs, this Court is left with no option but to direct the SSP concerned to take bond from the private respondents No.5 and 6 to the tune of Rs.500,000 (Five hundred thousand) each that no bodily harm shall be caused to the petitioners. Such bond shall be kept at the Police Station concerned. No bottleneck shall be created by petitioner No. 2, he is prohibited from preventing or hindering petitioner No.1 from meeting her parents if she wishes to do so.

5. In view of the above, this petition stands disposed of.