

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR  
*Constt. Petition No.D-379 of 2022*

DATE OF HEARING	ORDER WITH SIGNATURE OF JUDGE.
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- 1. For hearing of CMA No.1532/22.
- 2. For hearing of main case.

**11.05.2022**

Mr. Dilnawaz Mangrio Advocate alongwith petitioners.

Mr. Waqar Ali Phulpoto Advocate for respondent No.5.  
Mr. Saeed Ahmed Wassan AAG.  
Mr. Shafi Muhammad Mahar DPG for State.

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With reference to the order of previous date, Official respondent No.3 through statement files copy of Medical Certificate; which is taken on record.

In response to notice, Investigating Officer of Crime No.32/2022 of Police Station, Khanwahan is present. He submits the copy of statement of petitioner No.1 Mst. Wakeelan recorded u/s 161 Cr.P.C wherein she has stated that neither she was abducted by anyone nor she is under wrongful confinement but she has contracted marriage with her own free will with petitioner No.2 Ashfaque Ahmed without any coercion and compulsion. She has further stated that her maternal uncle, the respondent No.7 has lodged a false FIR against her husband and others.

Learned counsel for respondent No.5 submits that petitioner No.1 is of minor age about 13/14 years and she has married with petitioner No.2 under his influence and pressure.

So far as the contention of learned counsel for respondent No.5 in respect of age of petitioner No.1 is concerned, the age of the petitioner No.1 has been certified by the Medical Officer/District Police Surgeon Civil Hospital Naushehro Feroze as 17 to 18 years, as such, petitioner being sui juris is within her right to enter into marriage of her own choice. Nevertheless, if the respondent No.5 has any grievance in this regard he may approach the forum of competent jurisdiction for redressal of his grievance.

The I.O. states that he would submit a report under Section 173, Cr.P.C before the concerned Judicial Magistrate in the light of statement of petitioner No.1 for disposal of the case in accordance with law.

Learned counsel for petitioners being satisfied with the statement of the I.O. seeks disposal of this petition by directing SSP Naushehro Feroze to provide legal protection to the petitioners in accordance with law. Order accordingly.

Petition stands disposed of.

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