

ORDER SHEET
THE HIGH COURT OF SINDH, CIRCUIT COURT LARKANA
Criminal Misc: Application No. S-61 of 2026

Date	Orders with signature of Judge
------	--------------------------------

For hearing of main case.

16-03-2026

Mr. Roshan Ali Jokhio, Advocate for applicant.

Mr. Sardar Ali Solangi, D.P.G for the State a/w I.O/SIP
Israr Ali Shahani of PS S.I.B Siyal.

* * * * *

Through this Criminal Miscellaneous Application, the applicant has challenged the order dated 22.01.2026 passed by the learned Special Judge, Anti-Rape Court, Larkana.

Learned counsel for the applicant submits that the statement of the abductee was recorded before the Judicial Magistrate at Karachi under Section 164, Cr.P.C.; however, according to him, the same appears to have been made under duress. He further contends that the learned trial Court accepted the report of the Investigating Officer and disposed of the case in 'C' Class on the basis of the statements of the abductee recorded under Sections 161 and 164, Cr.P.C., without properly appreciating the material available on record. He therefore prays that the impugned order be set aside and that the case be proceeded with against the accused in accordance with law in view of the contents of the F.I.R.

A perusal of the impugned order reflects that the alleged abductee, in her statements recorded under Sections 161 and 164, Cr.P.C., did not support the version set forth in the F.I.R. and categorically stated that she had left her parental house of her own free will and contracted marriage with the alleged proposed accused Sarfraz @ Muno

Dayo, and that her father lodged the F.I.R. against the accused persons out of annoyance.

Today, the Investigating Officer is present in Court and has placed on record the relevant statements. Learned Deputy Prosecutor General (D.P.G.) submits that in view of the statements made by the alleged abductee under Sections 161 and 164, Cr.P.C., the learned Special Judge has rightly passed the impugned order in accordance with law and accepted the challan under "C" Class; therefore, the same calls for no interference by this Court.

In view of the above circumstances, particularly the categorical statements of the alleged abductee recorded under Sections 161 and 164, Cr.P.C., this Court does not find any illegality, impropriety, or infirmity in the order passed by the learned Special Judge, Anti-Rape Court, Larkana. Consequently, the instant Criminal Miscellaneous Application, being devoid of merit, is dismissed accordingly.

J U D G E