ORDER SHEET

IN THE HIGH COURT OF SINDH,

CIRCUIT COURT, HYDERABAD.

C.P.No.D- 2003 of 2026

DATE	ORDER WITH SIGNATURE OF JUDGE

1. For orders on office objections.
2. For hearing of MA 7697/2026.
3. For hearing of main case.

20.10.2026.

Mr. Shaukat Ali Kaka, Advocate for petitioners along with petitioners.

Mr. Irfan Ali Talpur, D.P.G.

Mr. Allah Bachayo Soomro, Additional A.G, Sindh along with IO/Inspector Muhammad Jawaid Iqbal, SSOIU City Nawabshah.

Mr. Riaz Hussain Solangi, Advocate files Vakalatnama on behalf of respondents No.5, 7 and 15, taken on record.

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Petitioners Shrt. Reema and Manthar have filed this joint Constitutional Petition under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973, seeking quashment of FIR No.144/2026 registered for offences under Section 363, 365-B, 452 PPC. at P.S Taluka District Shaheed Benazirabad lodged by respondent No.5 being false, fabricated, concocted and manipulated story. They also seek direction to the official respondents No.2 to 4 not to arrest any person involved in the subject FIR and legal protection to the petitioners and their family members.

It is inter alia contended by the counsel for the petitioners that Shrt. Reema being sui-juris has contracted marriage on her own free will with petitioner No.2 Manthar without any pressure or coercion. Learned counsel submits that the respondents being annoyed on this un-ceremonial marriage got registered the FIR with malafide intention.

The petitioner No.1 present in Court categorically denies the allegations of kidnapping and states that the FIR is false one and is liable to be quashed as she married with Manthar on her own account and choice and denies the allegations leveled in the FIR. At this stage, learned counsel appearing on behalf of private respondents submits that the petitioner No.1 is under age therefore, she is not capable to contract marriage which is an offence under Section 3 & 4 of the Sindh Marriage Child Restrain Act, 2013, therefore, petitioners have appeared

before this Court with unclean hands and this petition is liable to be dismissed. However, he agrees to the extent that since the allegations of abduction are over because Shrt. Reema has categorically stated that she has neither been kidnapped nor forced. So far the issue of under age is concerned, the same is required to be looked into by the concerned Magistrate as and when the summary report is submitted by the Investigating Officer before the concerned Magistrate. The Investigating Officer present in Court has recorded the statement of petitioner No.1 in which she has reiterated the factual position of the case and denies the allegation of abduction. The Investigating Officer states that the case will be culminated into 'C' class report and the same will be submitted before the concerned Magistrate for appropriate orders. However, so far as the issue of under age, if any, is concerned, the Magistrate shall look into the matter at his end and dispose of the case in terms of the statement of the lady in accordance with law and in the intervening period the protection is to be provided to the petitioners by the SSP concerned who shall ensure that no harm is caused to the petitioner and his spouse husband.

In view of the above, petition stands disposed of along with listed application.

JUDGE

JUDGE

Tufail