HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

C.P. No.D-1983 of 2026
[Rawat Vs. Province of Sindh & others]

Before:
Justice Adnan-Ul-Karim Memon
Justice Muhammad Jaffer Raza

Petitioner:	Through Mr. Waqar Ahmed Bhurgari, advocate
Official Respondents:	By Mr. Allah Bachayo Soomro, Additional Advocate General, Sindh. DSP Shakeel Ahmed and Inspector Ghulam Hyder PS Kadhan, Badin.
Date of hearing	10.11.2026
Date of Order	10.11.2026

O R D E R

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ADNAN-UL-KARIM MEMON, J:- The petitioner has filed the instant Constitutional Petition under Article 199 of the Constitution of the Islamic Republic of Pakistan, 1973, seeking production of the alleged detenues, namely Anwer and Pervaiz, before this Court and their release if found to be detained without lawful authority.

2. Learned counsel for the petitioner submits that the alleged detenues, namely (i) Anwer s/o Muhammad Pariyal Laghari and (ii) Pervaiz s/o Abdul Aziz Laghari, residents of Village Jan Muhammad Laghari, District Badin, were allegedly taken into custody by police officials of Police Station Kadhan on 23.09.2026 at about 8:00 p.m. Their whereabouts were thereafter concealed, and neither their families were informed nor were they produced before any competent Court. Despite submitting an application to the SSP, Badin, on 24.09.2026, no action was taken. It is contended that their continued detention is illegal and violative of Articles 9 and 10 of the Constitution.

3. Respondent No.04, in his comments, has denied any involvement in the alleged detention and stated that reports were obtained from the concerned police officials. As per the reports, FIR No.13/2026 under Section 302 PPC was registered at Police Station Kadhan on 14.02.2026 regarding the murder of Qasim Laghari. During investigation, Ali Anwar Laghari was initially arrested on 21.02.2026 but subsequently released under Section 169 Cr.P.C. on 02.03.2026 for want of sufficient evidence. The investigation was transferred to DSP/SDPO Badin on 14.07.2026, who, after recording further statements

and conducting investigation, found certain persons innocent, including Muhammad Younis and the petitioner, and released them under Section 169 Cr.P.C. on 07.10.2026. It is further reported that Parvaiz Ali Laghari was arrested on 24.09.2026, whereas Ali Anwar Laghari was arrested on 27.09.2026 in connection with the aforesaid murder case. Their police remand was obtained, and subsequently they were sent to District Prison, Badin, on judicial remand. The final challan was scheduled to be submitted before the competent Court on 12.11.2026. Regarding Amjad Ali S/o Abdul Aziz Laghari, the police have categorically stated that he has neither been arrested nor detained in any case. The police have further alleged that the petitioner is closely related to the accused persons and that a civil dispute concerning agricultural land and right of passage exists between the parties. It is also stated that the petitioner has filed the instant petition to support the accused party. Respondent No.04 has further referred to Constitution Petition No.S-594/2026, filed by a close relative of the petitioner in connection with the same FIR, which was disposed of vide order dated 05.11.2026.

4. We have heard learned counsel for the petitioner and examined the available record as well as the comments submitted by respondent No.04.

5. The record reflects that the alleged detenues, namely Parvaiz Ali Laghari and Ali Anwar Laghari, have been arrested in connection with FIR No.13/2026, registered under Section 302 PPC at Police Station Kadhan, and are presently confined in District Prison, Badin, pursuant to judicial remand. Their custody, therefore, is subject to the jurisdiction and supervision of the competent trial Court, which is seized of the criminal proceedings. Any grievance regarding the legality of their arrest, remand or continued detention may appropriately be agitated before the said Court in accordance with law.

6. As regards Amjad Ali, the police have categorically denied his arrest or detention, and no material has been placed on record to substantiate his alleged illegal custody.

7. In these circumstances, no case of unlawful or unauthorized detention warranting interference by this Court under Article 199 of the Constitution is made out. Consequently, the instant petition, being devoid of merit, is dismissed. However, the petitioner or the aggrieved persons shall be at liberty to approach the competent forum for redressal of their grievances in accordance with law. These observations shall not prejudice the merits of the pending criminal proceedings.

J U D G E

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Irfan Ali