

ORDER SHEET
IN THE ISLAMABAD HIGH COURT, ISLAMABAD.
JUDICIAL DEPARTMENT.

W.P. No.3204-2014

Muhammad Khan

Vs.

SHO, P.S. Bhara Kahu, n Islamabad etc.

S. No. of order/ proceedings	Date of order/ Proceedings	Order with signature of Judge and that of parties or counsel where necessary.
	02.10.2019	Sardar Muhammad Aftab, Advocate for petitioner. Ch. Zaheer Farooq, State Counsel with Fayyaz, ASI.

Through the instant petition, the petitioner has assailed order dated 26.06.2014, whereby application under section 22-A Cr.P.C. filed by him, was dismissed.

2. The facts, in brief, are that petitioner made an application to respondent No.1 for registration of case for alleged abduction of his daughter; since needful was not done by the respondents, hence an application under section 22-A Cr.P.C. was filed, which was dismissed vide the impugned order.

3. Learned counsel for the petitioner, *inter alia*, contended that under the facts and circumstances, the impugned order is not sustainable; that Nikah Nama was never produced and on the face of it, an offence was made out.

4. Learned State Counsel submitted that since the alleged abductee is a *sui juris* and had produced Nikah Nama, hence on the basis thereof, no case was made out.

5. Arguments heard. Record perused.

6. Learned Ex-officio Justice of Peace, vide the impugned order, observed that alleged

abductee namely Nabeela Bibi is a *sui juris* being 20 years' old and contracted Nikah voluntarily and in this behalf, filed an affidavit hence there is nothing on record to contradict the same. In view of referred position, the impugned order does not suffer from any illegality or jurisdictional error warranting interference.

7. For the above reasons, instant petition is without merit and is accordingly dismissed.

(AAMER FAROOQ)
JUDGE

Zawar