

JUDGMENT SHEET
IN THE ISLAMABAD HIGH COURT, ISLAMABAD
(JUDICIAL DEPARTMENT)

W.P No.2443 of 2020

Mrs. Sughra Bibi
Versus
The State and others

S.No. of order/proceeding	Date of order/proceedings	Order with signature of Judge and that of parties or counsel where necessary.
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(03) 23.09.2020 Rana Liaqat Hayat, Advocate alongwith petitioner.
Ms. Uzma Sardar, State counsel alongwith Zulifqar Ali, A.S.I.

Through this petition, the petitioner, Sughra Bibi, has invoked the jurisdiction of this Court filed under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973, with the following prayer;-

“It is therefore, respectfully prayed that the instant writ petition of the petitioner may very graciously be accepted and the directions to the respondents may very graciously be passed restraining the respondents from interfering into the matrimonial life of petitioner or taking any kind of criminal action, detention or illegal harassment, humiliation, putting pressure, arresting the petitioner without any due process of law.

An order in the nature of Prohibition may also be passed restraining the respondents from passing an adverse order or taking any criminal action against the petitioner and her family members.

Any other order, which this Honourable Court deem fit and proper, may also be passed.”

2. Brief facts of the case are that the petitioner being *sui juris* got married with one Qaiser Abbas,

Nikah was solemnized in accordance with Muslim rites vide nikahnama dated 05.08.2020. On 10.08.2020, the petitioner also appeared before the learned Judicial Magistrate, Section 30, Lahore by filing a private complaint under Section 200 Cr.P.C against private respondents stating therein that she being *sui juris* and adult, left the house of her parents with her free will and consent and nobody had abducted or kidnaped her and that she had not taken anything from the house of her parents; that she had contracted marriage with Qaiser Abbas on 05.08.2020 and that on 08.08.2020, the respondent alongwith some unknown person forcibly entered in their house, use filthy language, forced her to get divorce from said Qaiser Abbas otherwise they would be killed, which complaint is pending adjudication.

3. Learned counsel for the petitioner submitted that respondent No.6 intended to get marry the petitioner with an old age person against her will and on her denial, respondents No.6 to 12 became inimical towards the petitioner and she has apprehensions that they will harm, harass and create hurdles in her matrimonial life.

4. The petitioner is present in person alongwith her counsel. She was asked about the matter. She is fully conversant with the facts of the case and submits that she, with her free will and consent married with one Qaiser Abbas.

5. Perusal of the Nikahnama reveals that the petitioner has solemnized nikah with Qaiser Abbas on 05.08.2020 in accordance with Muslim rites.

The rights of the petitioner are guaranteed under the Constitution of Islamic Republic of Pakistan, 1973.

6. In view of the above, this petition is **accepted** and the respondents are directed not to harass the petitioner and interfere in her matrimonial life.

(GHULAM AZAM QAMBRANI)
JUDGE

Rana. M. Ift