



DECISION

Complaint No. :

POS/CH-8231/KHE-468/2022/KR

Name and address
of the complainant :

Mr. Saleh Muhammad S/o Sultan Shah, House No.129, Street No.37,
Muhalla Bilal Colony, Landhi, Karachi.

Name of the Agency
complained against :

Police Department, Sindh

Name & Designation of
Investigating Officer :

Mr. Iqbal Nafees Khan
Regional Director, Korangi Karachi

Subject :-

**ALLEGED FAILURE OF POLICE OFFICIALS AT PS GARDEN TO
TAKE ACTION AGAINST SUSPECTS INVOLVED IN THE
KIDNAPPING OF THE COMPLAINANT'S DAUGHTER**

THE COMPLAINT

On December 28, 2022, Mr. Saleh Muhammad submitted a complaint, reporting that his daughter Umera Bibi, aged ten years, was kidnapped. He had lodged the FIR of this incident at Police Station Quaidabad, Karachi. Subsequently, this case was transferred to the Police Station Garden, Karachi. During the investigation, his daughter unexpectedly returned home and provided information about her kidnappers, including a copy of one kidnapper's CNIC. Despite this, the Investigating Officer failed to take appropriate action. He, therefore, solicited our intervention for the redressal of his grievance.

PROCEEDINGS

2. The complaint was admitted under Section 10 of the Establishment of the Office of Ombudsman for the Province of Sindh Act, 1991 (as amended). After completion of preliminary formalities, the case was referred to the Deputy Inspector General of Police (DIGP), Anti-Violent Crime Cell (AVCC), Crime Investigation Agency (CIA), Karachi, for a report and comments.
3. In response, the Senior Superintendent of Police (SSP), AVCC, CIA, Karachi, vide letter dated February 7, 2023, reported that FIR No. 733/2021 had been registered in this matter under Sections 364-A/34 of the Pakistan Penal Code (PPC) at Quaidabad Police Station. The abductee was recovered on November 18, 2022, and her statement was recorded under Section 164 of the Criminal Procedure Code (Cr.P.C.) before the trial court. In her statement, the abductee disclosed that she had been subjected to sexual abuse by two individuals, Jameel Ahmed and Asif Khan both sons of Shah Hussain. Both accused persons were apprehended on January 18, 2023, and were in custody. It was further reported that Section 376 of the PPC, a Schedule II offense under the Anti-Rape (Investigation and Trial) Act, 2021, was also added to the FIR. According to Section 9 of this Act, cases of this nature are investigated by Special Sexual Offences Investigation Units (SSOIUs), and as such, the matter was referred to the SSOIU for further action.
4. On July 19, 2024, the SHO of Quaidabad Police Station reported that the case had been assigned to Lady DSP Uzma Hafeez, who was posted at the DIGP East Karachi, Special Sexual Offences Investigation Unit (SSOIU). The charge sheet (challan) in this case has been submitted, and the matter is now pending trial before the court.

COMPLAINANT'S REJOINDER

5. A report from the agency was provided to the complainant for his rejoinder. The complainant reported through a letter received on August 8, 2023, that the case remains pending before the court.

DECISION

6. I have reviewed the case and the proceedings conducted by the Investigating Officer. It has been observed that the complainant's daughter was recovered on November 18, 2022. An FIR was properly registered by the police and challan is submitted before the Court of Competent Jurisdiction. As the matter is currently pending before the trial court, no further action can be taken by this office as per law.

7. Therefore, the complaint is hereby disposed of being subjudice in the court of law.

Given under my hand and seal of office.

sd

(MUHAMMAD SOHAIL RAJPUT)

Sitara-e-Imtiaz: PAS

Ombudsman, Sindh

Karachi, dated the 19th November, 2024

