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IN THE COURT OF ASGHAR SHAH
SESSIONS JUDGE, ORAKZAI (AT HANGU)

CR. MISC PETITION : 2/19
DATE OF INSTITUTION : 08.05.2019
DATE OF DECISION : 10.05.2019

Mst. Sumaira Naaz wife of Mr. Ghadeer Ali D/O Fida Hussain R/o Qoom Mani Khail Tapa Theraee Zaridar Post Office Kalaya Tehsil Lower District Orakzai presently R/O Landi Kachai Tehsil and District Kohat.

... Petitioner

VS

Ghadir Ali S/O Meer Majan R/O village Zaridar alaya Tehsil Lower District Orakzai cell No. 03049391688

...Respondent

PETITION U/S 491 Cr.P.C

Order
10.06.2019

Petitioner Mst. Sumaira Naz d/o Fida Hussain, w/o Ghadeer Ali along with counsel present. Respondent reportedly confined in jail in some other criminal case and on his behalf his brother attended the court.

Petitioner has moved the application in hand u/s 491 Cr.P.C seeking recovery of her children namely Mubashir Hussain aged about 4 ½ years and Mukhtyar Ali aged about 2 ½ years being in improper custody of the respondent who reportedly contracted second marriage besides has gone to jail in a murder case. Notice was issued for the recovery of children but in vain, hence warrant was issued through process server and SHO concerned and accordingly today the above named children were produced in the court. Since, at the moment the welfare of minors lies in the fact that they be handed over to their real petitioner/mother because the

Ghadeer Ali
 10.06.19

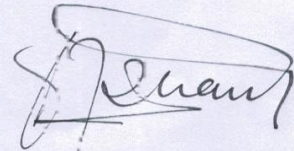
respondent/father has gone to jail and there is no other person available for the safe custody and look after of the children besides they cannot be left at the mercy of step mother.

Therefore, the petition in hand is accepted and above named children be handed over to the petitioner/mother temporarily subject to submitting personal surety bond in the sum of Rs. 50,000/- and she will be bound to produce the minor children as and when required. The permanent custody of the children is subject to the decision of Guardian Judge.

File be consigned to Sessions Record Room after its completion and compilation.

Announced:

10.06.2019



(ASGHAR SHAH)

Sessions Judge,
Orakzai at Hangu.

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