

**IN THE SUPREME COURT OF PAKISTAN
(ORIGINAL JURISDICTION)**

PRESENT:

Mr. Justice Iftikhar Muhammad Chaudhry, CJ.
Mr. Justice Abdul Hameed Dogar
Mr. Justice Muhammad Nawaz Abbasi
Mr. Justice Faqir Muhammad Khokhar
Mr. Justice Mian Shakirullah Jan
Mr. Justice M. Javed Buttar
Mr. Justice Raja Fayyaz Ahmed

CONST. PETITION NO.16/2004; CMA NO.2306 of 2007,

Samar Minallah etc ... Petitioners
Versus ...
Federation of Pakistan, thr. Secy. M/o Women etc ... Respondents

For the petitioner : Syed Mansoor Ali Shah, ASC with Samar Minallah, petitioner.

For the respondents: Mrs. Nalida Mehboob Elahi, DAG
Ch. Khadim Hussain Qaiser, Addl. A.G. Pb.
Mr. Arshad Ali Chaudhry, AOR
Mr. M. S. Khattak AOR

**SUO MOTO CASE NO.10/2006
(Custom of Sung Chuti)**

Attendance Munir Ahmad Khoro, DPO Jaccoabad
Mr. Noor Ahmad, DPO Kashmir
Mr. Abdul Khaliq, SPO, Tangwani
Mr. Muhammad Rizwan, SPO Bakhshapur
Mr. Saghir Ahmad, Inspector/I-O

For Members of Panchayat:

Sardar Muhammad Latif Khan Khosa, ASC
Ch. Akhtar Ali, AOR
Mir Hazar Khan Bigariani, MNA
Pir Abdul Khaliq Bharchundi
Mr. Akbar Khan, Banglani
Mr. Dad Muhammad, Nindwani
Ghulam Rasool,
Syed Jalcel Shah


3-9-2007
ORDER

CMA Nos.2306/2007.

In the instant C.M Application petitioners have expressed their grievance against the decision of Jirga whereby following minor girls were being put to a custom of Sang Chatti:

Name of parent/ guardian	Resident of	Infant child	Jirga decision & members	Police station/officer
1. Sikander Ali s/o Haroon Bhurt 2. Ali Asghar	Mithiani Taluka, District Naushahro Feroz, Sindh	Shanila 2 yrs. Aneela 1-1/2 yr Tasleem 4 yrs	Jan 2006 1. Wadera Sadaruddin s/o Ghulam Ali Bhurt 2. Nizamuddin s/o	SHO Mithiani Taluka District, Naushahro Feroze, Sind


ATTESTED


Superintendent
Supreme Court of Pakistan
ISLAMABAD

			Sadarudding 3. Ghulab s/o Raza Muhammad Bhurt, 4. Hazoor Bux s/o gulab Khan Bhurt <u>all</u> <u>residents of</u> <u>Delo Mithani</u> <u>Taluka Bhurt.</u> 5. Abdul Ghafoor s/o Muhammad Mithaa Buxal Bhurt resident of Village Bhorti District Naushahro Feroze	
1. Ijaz Ahmed s/o Ali Akbar M.Jatt 2. Niazi Hussain s/o Sajam Mir Jatt 3. Ali Asghar s/o Ali Akbar Mir Jatt	Village Hami Tehsi: Waara Dist: Larkana SIND	Farzana Khatoon 4 yrs d/o Ali Asghar Tasleem Khatoon, 3 yrs d/o Niazi Hussain	10.05.2007 Wadera Athar Khan s/o Rakhel Mir Jatt, Raes Hasan Ali s/o Muhammad Saleh Mir Jatt	DPO Azeem Tanio Larkana TPO Waara
Jan Muhammad s/o M. Yousaf Brohi	Bahu Khoso Tehsil: Thal, Zila Jacobabad, Sindh	1 Daughter	1998 Sardar Bahudur Khan Mangalzai	Bahu Khoso, Tehsil Thal Jacobabad
Shahnawaz s/o M. Siddique Solangi	Shehrowala, Tehsil Thal Zila Jacobabad, Sindh	Nasreen 6 years at the time of Jirga	26.5.2003 1. Agha Moula Baksh Pathan r/o Sultan Kot 2. Raza Muhammad s/o Ghulam Muhammad Solangi 3. Abdul Hameed s/o Raza Muhammad Solangi 4. Ghulam Nabi s/o Raza Muhammad Solangi	Thal SHO Sikander Ali Soomro DPO Munir Ahmed Khuro

On the last date of hearing, directions were made to PPO Sindh for providing protection to the families. However, it is informed that the families have shifted from Sindh to Punjab and are hiding themselves from one place to other place. Before passing order in respect of above emerging aspect; to redress the grievance of the petitioner families, it would be appropriate to seek parawise comments from PPO Sindh. He shall also inform the Court; as to

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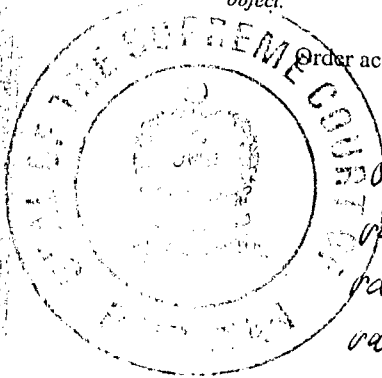
whether the above matter has been reported and cases on criminal side have been registered or not? If it is so, then what protection has been provided to the aggrieved families?

CONST. PETITION NO.16/2004, & SUO MOTO CASE NO.10/2006

Learned counsel for the petitioner contended that committees already constituted by this Court dated 24.4.2006 may be directed to discharge their function effectively. Contents of para-2 are reproduced herein below:-

"the above committee is authorized to receive complaints from the victims and process them through Sessions Judge for purpose of registration of case, if there is any violation of Section 310 A PPC. The learned Sessions Judge of respective District/Division shall also cooperate with them. Copy of this order be sent to the Registrars of the High Courts for transmitting it to the respective Sessions Judges as well as to the above Committee working in the Districts/Tehsil of their respective Provinces. All DPOs of the District and SDPOs are also directed to fully cooperate with Members of Committee to achieve the object."

Order accordingly.



- Adv. J. Bilal Muhammad Chaudhry, C.S.
- Adv. Aledul Hameed Dogar, J
- Adv. Muhammad Nawaz Abbasi, J
- Adv. Faruk Muhammad Ishaq, J.
- Adv. Mian Shajirullah Jan, J
- Adv. M. Tarek Butt, J.
- Adv. Raja Faruk Ahmed, J

Certified to be true copy

[Signature]
Superintendent
Supreme Court of Pakistan
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Islamabad
15-09-2007
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