

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD
Cr. Misc.Appln.No.S-566 of 2020

DATE	ORDER WITH SIGNATURE OF JUDGE
	<div>1. For orders on MA-7430 of 2020</div> <div>2. For orders on office objections</div> <div>3. For hearing of MA-7431 of 2020</div> <div>4. For hearing of main case.</div>

20.10.2020.

Mr. Ashar Majeed Khokhar, advocate for applicant.
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It is alleged by the applicant that the private respondents attacked upon her house, thereby his daughter Mst. Ambreen sustained injury and now they are threatening the applicant of dire consequences, on account of refusal by the police to record her FIR she by way of making an application u/s 22-A & B Cr.P.C sought for issuance of direction against the police to record her FIR for the above said incident but it was dismissed by learned Ex-officio Justice of Peace, Shaheed Benazirabad vide his order dated 28.09.2020, which is impugned by the applicant before this Court by way of instant Cr.Misc.Application u/s 561-A Cr.P.C.

It is contended by the learned counsel for the applicant that the proposed accused are hardened criminals of the area and they have caused injury to Mst. Ambreen and now are threatening the applicant of dire consequences, therefore, learned Ex-officio Justice of Peace, Shaheed Benazirabad was not justified in dismissing the application

of the applicant by way of impugned order, same being illegal is liable to be set-aside after due hearing to other side.

I have considered the above arguments and perused the record.

The injury sustained by Mst. Ambreen is cognizable in nature so is the case with the allegation of dire-consequences. No person can be involved in a criminal case only for the reason that he is having a criminal record. In these circumstances, learned Ex-officio Justice of Peace was right to decline issuance of direction against the police to record the FIR of the applicant by way of impugned order which is not calling for interference by this Court in exercise of its inherent jurisdiction. Consequently, the instant Criminal Misc. Application is dismissed in limine together with the listed application[s].

Judge

Ahmed/Pa,