

ORDER SHEET
IN THE HIGH COURT OF SINDH BENCH AT SUKKUR
Crl. Misc. Application No. S-201 of 2025

DATE OF HEARING	ORDER WITH SIGNATURE OF JUDGE
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- 1. For Orders on MA No. 1681/2025 (U/A)
- 2. For Orders on office objection.
- 3. For hearing of main case.
- 4. For orders on MA No. 1682/2025 (Ex./A)

ORDER.
27-03-2025.

Syed Tanveer Abbas Shah advocate for the applicant.

- 1. Application for urgent hearing is granted.
- 2. Deferred.
- 3&4. Through instant application, the applicant has impugned the order dated 06-02-2025 passed by learned Sessions Judge/Ex-Officio Justice of Peace Ghotki in Cr. Misc. Application No. 271/2025 Re. “Muhammad Lakhan Vs SHO PS Ubauro & others” whereby his application u/s 22-A & 22-B Cr.P.C for registration of FIR has been turned down on the ground that one FIR No. 15/2025, offence u/s 302, 311 PPC (Crime against honor killing) has already been registered on 24-01-2025.

Learned counsel for the applicant has contended that no doubt the police has registered the FIR No. 15/2025 and being eyewitness of the incident his statement u/s 161 Cr.P.C has been recorded, but same has not been recorded as per his version and verbatim; that deceased Mst. Razia is real daughter of the applicant while Majid Ali has no concern with the applicant, so he prays for recording his statement u/s 154 CrPC instead of 161 CrPC.

The FIR (First Information Report) No. 15/2025 was lodged by the police on 24-01-2025, while the incident in question occurred on the same day. The FIR (First Information Report) details the sequence of events that led to the filing of the report. The accused, Bhoral Shah, is the father-in-law of Mst Razia the daughter of the applicant, Muhammad Lakhan. The incident in question involved the use of a firearm by Bhoral Shah, resulting in the death of Mst. Razia, and the alleged involvement of a paramour, Majid, in the crime. The applicant, being the father of Mst. Razia, has alleged that Bhoral Shah killed Mst. Razia due to a dispute

concerning the custody of children. The applicant's position does not align with the concept of honor killing even he does not mention the murder of alleged paramour, Majid, in his application.

The Police arrested the accused Bhoral Shah, in possession of the weapon used in the crime. The weapon was subsequently sent to ballistic expert for analysis. While the investigation officer appears to have performed his duties adequately, the applicant has intention to amend the initial charge from honor killing to murder on the account of children dispute. On the very face of it, belief that the accused was intended to be shielded from an honor killing. The said version behind this amendment remains unclear.

Furthermore, the police recorded the statement under Section 161 CrPC of the applicant. In the event, the applicant believes that he has been the victim of misconduct by an investigation officer, then he may file an application for a grievance. However, the applicant has insisted on recording the statement in the form of an First Information Report (FIR), rather than recording a statement under Section 161 CrPC, as this practice is not in accordance with the prevailing case of *Mst. Sughran Bibi Vs. The State reported in PLD 2018 Supreme Court 595*.

In view of above, there appears to be an absence of any illegality or irregularity in the order dated 06-02-2025, passed by Justice of Peace Ghotki. Consequently, the present criminal miscellaneous application is deemed to be devoid of merit, misconceived, therefore the same is hereby dismissed.

In view of above, the application in hand is dismissed.

J U D G E