

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD
C.P. No.D-2595 of 2016.

DATE	ORDER WITH SIGNATURE OF JUDGE
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For katcha peshi.

06.09.2017.

Mr. Khadim Hussain Soomro, Advocate for the petitioner.

Mr. Anwar H. Ansari, State Counsel.

Mr. Pervez Tarique Tagar, Advocate for respondents No.9 and 10.
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Perusal of order dated 09.10.2015 reflects that learned Judge has not passed order within the spirit of judgment passed in the case of Younas Abbas (PLD 2016 SC 581), which says that powers under section 22-A & B Cr.P.C. are to be exercised as *quasi-judicial* proceedings; moreover, paragraph-1 of application under section 22-A(6)(i) Cr.P.C. is not reflecting that matter pertains to dishonour of cheque. Accordingly, impugned order is hereby set aside and the matter is remanded back with direction that learned Sessions Judge shall withdraw the file from the Court of Ist. Additional Sessions Judge, Shaheed Benazirabad and decide the case within the spirit of referred judgment after hearing the parties in accordance with law.

The petition stands disposed of.

JUDGE

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