

ORDER SHEET  
IN THE HIGH COURT OF SINDH KARACHI

**Criminal Miscellaneous Application No.245 of 2021**

Date	Order with Signature(s) of Judge(s)
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1. For orders on office objections.
2. For hearing of main case
3. For hearing of M.A. No.4246 of 2021

**05.09.2024**

Mr. Mohammad Aziz Khan, Advocate for the applicant.  
Mr. Musharraf Azhar, Advocate for respondent No.5.  
Mr. Iqbal Awan, Additional Prosecutor General Sindh.

Learned counsel for the applicant has challenged the order passed by the Court of II-Additional Session Judge, Karachi West in Criminal Miscellaneous Application No.590 of 2021 dated 05.04.2021. Vide the aforesaid order the aggrieved party was given permission to approach the concerned police station for recording his statement and if any cognizable offence has been made out FIR was directed to be lodged.

I have been informed that the FIR has already been lodged and the matter has been challaned, however, the present applicant Rasheed has remained absconder in the case.

I have heard the learned counsel and perused the record. It is settled law that once challan has been filed the remedy of the accused lies before the trial Court. In this case the accused has not even appeared before the trial Court and is absconder. In the circumstances, since the FIR has been lodged and challan has been filed in the case, therefore, the impugned order dated 05.04.2021 has become infructuous and accordingly instant petition along with pending applications is dismissed.

J U D G E

Farooq PS/