

**IN THE HIGH COURT OF SINDH, CIRCUIT COURT,
HYDERABAD**

Criminal Revision Application No.S-70 of 2023

Ali Khan ----- Applicant/Complainant.

versus

Akbar and others ----- Respondents.

1. For orders on office objection
2. For hearing of main case

Date of Hearing: 30.04.2025

Date of Order: 30.04.2025.

Mr. D.M. Madhwani advocate for Respondents
No.1 to 4.

Mr. Siraj Ahmed Bijarani Assistant PG along
with SIP Ghulam Hussain Noonari PS Hatri.

ORDER

MIRAN MUHAMMAD SHAH, J.- Through this Criminal Revision Application the Applicant / Complainant has challenged the Order dated 19.04.2023 passed by learned 7th Additional Sessions Judge in I.D. Complaint no.23 of 2023 (Ali

Khan vs. Akbar and others) whereby learned Trial Court dismissed the I.D. Complaint of Applicant / Complainant.

2. Today Counsel for the Applicant/Complainant is called absent. No intimation is received. This has been the case since last two years. He has not been appearing in this Court. It seems that the Counsel for the Applicant/Complainant as well as Applicant/Complainant have lost their interest in this case. Even on the face of it the impugned Order does not suffer from any illegality but due to absence of the Counsel for the Applicant/Complainant the matter has been lingering on and is liable to be dismissed.

3. Learned Counsel appearing on behalf of the private Respondents No.1 to 4 however is present and requests that this Application may be dismissed off on merits.

4. Learned Assistant Prosecutor General Sindh stats that a civil Suit is already pending between the parties and this being matter being of civil nature may be decided at the proper forum since the possession is also being enjoyed by the private Respondents.

5. Therefore, in such circumstances, the present Criminal Revision Application No.S-70 of 2023 is dismissed and the Order passed by the learned 7th Additional Sessions Judge Hyderabad in I.D. Complaint No.23 of 2023 (Ali Khan Versus Akbar and others) is upheld.

JUDGE

Ali Haider