

C.P No.S-498 of 2025

sentimental and cultural value, cash, and any other valuables, taken without due process or seizure memo;

- h. Award exemplary compensation to the Petitioners for the mental agony, trauma, and reputational harm suffered due to the unlawful actions of the Respondents;*

On notices, respondents No.6, SDPO Memon Goth filed his reply wherein it was contended that they were unaware about any raid conducted at the house of the petitioners. SHO Gadap City also filed its reply wherein it was admitted that no arrival or departure entry was recorded regarding any raid at the house of the petitioners at Bahria Town. SHO Napier and Jackson, Karachi also filed their replies wherein it was stated that an FIR No.180/2025 under Sections 420/406 PPC was recorded against husband of the petitioner No.1 and the police was investigating the matter in accordance with law. Respondent No.5, SSP South Karachi filed its reply wherein it was contended that the police station Jackson and Docks fall within the premises of District Kemari, therefore, the office of the SSP South has no concern with this case. Respondent No.12 filed its reply wherein he admitted his mistake of conducting raid at the house of the petitioners, however, he submitted that he conducted raid pursuant to investigation in FIR No.180/2025 of P.S Jackson and he did not take law into his hands. During the proceedings he also offered his apologies to the petitioners which were accepted and both the petitioners, who are present in person today, submit that they have got no grievance against the official respondents but since their house was raided by the private persons and they were subjected maltreatment by their hands, therefore, the concerned police be directed to record their FIR against the private persons, in accordance with law.

Perusal of petition revealed that in the prayer the petitioners have solicited that an offence cognizable in nature was committed by the private persons, therefore, SHO concerned be directed to record FIR. Under the provisions of Section-154 Cr.P.C and 156 Cr.P.C, the police are under obligation to record the statement of an aggrieved person and conduct investigation in accordance with law, if the nature of offence so complained is cognizable.

Petitioner No.2 submits that she will approach the SHO of P.S Gadap, respondent No.10 and she will record her statement. Though an appropriate remedy under Section-22-A Cr.PC is available to the

petitioners to seek directions from Ex-officio Justice of Peace as the petitioners are before this Court since the month of June, 2025 and they are seeking protection and the enforcement of the provisions of Section-154 and 156 Cr.P.C, therefore, under the exceptional circumstances, since the petitioners are women, respondent No.10 is directed to record the statement of petitioner No.2 and if the same discloses a cognizable offence, incorporate the same under Section-154 Cr.P.C register, and in case the statement does not disclose any cognizable offence, to proceed in terms of Section-155 Cr.P.C. However, no accused nominated in the FIR (if registered) shall be arrested unless tangible evidence comes on record.

Since the petitioners complained harassment at the hands of the police and from the replies filed by the police officials it transpired that the husband of the petitioner No.1 was involved in the FIR and the raids were conducted to effect his arrest, needless to say that while conducting the raids for any proclaimed offender police shall not harass womenfolk present in the house and will not break open the premises unless search warrant is obtained from concerned Magistrate.

Since the petitioners have compromised with the police officials and they do not intend to pursue their case against them, therefore, this petition to extent of police officials is disposed of with direction to police to conduct themselves strictly in accordance with law and ensure that no harassment is caused to the petitioners.

The petition stands disposed of in the above terms.

JUDGE

Ayaz Gul