

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT LARKANA
Cr. Misc. Application No. S- 136 of 2025

Date of hearing	Order with signature of Judge
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- 1. For orders on office objection-A.
- 2. For orders on main case.
- 3. For hearing of MA No.2184 of 2025. S/A

13.08.2025.

Mr. Muhammad Afzal Jagirani, advocate for the applicant.

Mr. Mohsin Ali Khan, Advocate for the Respondent No.3 a/w Respondent No.3.

Mr. Aitbar Ali Bullo, Deputy Prosecutor General, Sindh

Learned Counsel for Respondent No.3 filed a statement, being the first statement, pertaining to certain documents, which was taken on record. He also filed another statement, wherein it was submitted that, in order to recover the outstanding amount, the appropriate remedy available under the law may be availed.

After hearing the matter at some length, it transpires that there exists a dispute between the business partners regarding certain amounts. In order to recover the said amount, learned Counsel for Respondent No.3 has filed the aforementioned statement. Conversely, learned Counsel for the applicant submits that the order passed by the learned Justice of Peace, directing registration of the F.I.R., is still in the field; therefore, he prays for the said order to be set aside.

In the present scenario, when it stands admitted that the dispute has arisen out of a matter of civil nature, and even the respondent intends to initiate recovery proceedings, the order passed by the learned Justice of Peace dated 24.04.2025 is hereby set aside. It is pertinent to observe that criminal litigation cannot be employed as a tool for the recovery of any outstanding amount between business partners. The parties, however, shall be at liberty to avail themselves of any remedy available to them under the law, and the Courts shall not be influenced by this order in deciding any such proceedings. Criminal Miscellaneous Application stands disposed of in the above terms.

JUDGE