

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
C.P No.D-124 of 2023

Date

Order with signature of Judges

For orders as to the maintainability of Petition.

11.04.2023.

Mr. Irtafa-ur-Rehman, Advocate for the Petitioner.

Mr. Mehmood Ali, Advocate for the Complainant /
Respondent No.2.

Mr. Ghulam Akbar Uqaili, Asstt. Advocate General Sindh

Mr. Ghulam Sarwar Baloch, Asstt. Attorney General.

Inspector IO Sheikh Suhail, FIA, AHT Circle, Karachi.

We have heard learned counsel for the petitioner. On the last date of hearing learned counsel for the petitioner sought short time in order to satisfy this court about the maintainability of this petition as prima facie it appears that he had an alternate remedy before the concerned trial Court by moving application under Section 265-K Cr.P.C. Today learned counsel for the petitioner has contended that he has no other alternate remedy available to him under the Law and that he moved to the High Court under Section 561-A Cr.P.C. in order to redress his grievance. In support of his contention he has placed reliance on PLD 1994 SC 481.

We have considered the contentions of the learned counsel for the Petitioner and observed that the authority which he has relied upon is an old authority which has been superseded by PLD 2016 SC 55 which clearly shows that based on facts and circumstances of this case Petitioner has an alternate remedy before the concerned trial Court by moving an application under Section 265-K Cr.P.C.

As such this petition is dismissed being not maintainable.

JUDGE

JUDGE