

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Criminal Miscellaneous Application No.S-894 of 2024

DATE	ORDER WITH SIGNATURE OF JUDGE
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For orders on office objection.
For hearing of main case

03.02.2025

Mr. Mazhar Ali Laghari advocate for Applicant.
Mr. Essa Behan advocate for private Respondents.
Ms. Sobia Bhatti, A.P.G along with SIP Zeeshan Ali SHO PS Sekhat.
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The instant Application has been filed against the Order dated 14.12.2024, whereby Application u/s 22-A & B Cr.P.C was rejected by the learned Additional Sessions Judge/Ex-Officio Justice of Peace Matiari on the ground that there appears to be a civil dispute between the Parties with respect to land and a Tractor, with respect whereto, earlier Criminal Miscellaneous Application No.696/2024 was also lodged, which was disposed of by the Court. On query, learned Counsel for the Applicant has also informed about lodging of FIR No.73/2024 dated 30.12.2024 at PS Sekhat and also about pendency of civil proceedings.

The Honourable Supreme Court has already directed not to entertain Applications u/s 22-A & B Cr.P.C in a casual or mechanical manner but overall circumstances must also be considered. Reliance in this regard could be placed upon 2024 SCMR 985 and 2015 SCMR 1724.

Applying the above principles to the facts of the present case and upon perusal of record there appears to be no illegality or exercise of jurisdiction exercised by the learned Ex-Officio Justice of Peace, hence the Application is dismissed.

J U D G E

