

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, CIRCUIT COURT LARKANA**  
**Crl.Misc.Appln No.S-263 of 2024**  
*(Mushtaq Ali & Ors Vs. SHO, PS, City Jacobabad & Ors)*

DATE	ORDER WITH SIGNATURE OF JUDGE
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- 01. For orders on office objection.
- 02. For hearing of main case.
- 03. For hearing of M.A.No.4463/2024 (S/A).

**29.09.2025**

Mr. Rafique Ahmed K.Abro, Advocate for applicant.  
Syed Fida Hussain Shah, Advocate for respondent No.3.  
Mr. Aitbar Ali Bullo, Deputy Prosecutor General.

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Applicant No.3 Ashfaq Ali and Respondent No.3 Rashid Ali along with their learned counsel are present. Learned counsel for Respondent No.3, under instructions, submits that Respondent No.3 has no objection to the disposal of the instant matter in view of the written settlement agreement executed between the parties, which has been filed under the cover of a statement. The same is taken on record.

The record reflects that Respondent No.3 had earlier filed an application under Section 22-A & B, Cr.P.C. before the learned Additional Sessions Judge-II / Ex-Officio Justice of Peace, Jacobabad, seeking registration of FIR for an offence under Section 489-F, P.P.C., wherein the said application was allowed. The said order dated 05.08.2025, passed in Criminal Miscellaneous Application No. 622 of 2024, has been called in question through this application before this Court.

Learned counsel for the applicant contends that as the parties have amicably settled their dispute through a written agreement, which pertains to a business transaction, Respondent No.3 does not intend to press the impugned order. It is further argued that mere continuation of the order of the learned

Justice of Peace would serve no purpose in the given circumstances; therefore, the applicant prays for setting aside the said order.

Learned Deputy Prosecutor General has raised no objection to such course, while submitting that in case of any future dispute, the parties would be at liberty to approach the competent forum having jurisdiction.

In view of the above, as both parties have amicably resolved their dispute and do not wish to pursue the criminal proceedings further, it is observed that criminal law is not intended to be used as a tool for recovery of business transactions. The settlement reflects a positive approach between businessmen to resolve their disputes amicably rather than resorting to criminal litigation, which otherwise entails serious consequences.

Accordingly, the impugned order dated 05.08.2025 passed by the learned Additional Sessions Judge-II / Ex-Officio Justice of Peace, Jacobabad, in Criminal Miscellaneous Application No. 622 of 2024 is hereby set aside. Consequently, the instant application stands disposed of as not pressed in terms of the settlement. No order as to costs.

**JUDGE**