

HIGH COURT OF SINDH CIRCUIT COURT, MIRPURKHAS

C.P No.D-647 of 2025

[Qalander Ali vs. Province of Sindh & others]

BEFORE:

JUSTICE ADNAN-UL-KARIM MEMON

JUSTICE RIAZAT ALI SAHAR

Mr. Jeelaji Rajput, advocate for petitioner(s)

Mr. Muhammad Sharif Solangi Assistant A.G Sindh

Date of hearing & decision: 12.11.2025

ORDER

ADNAN-UL-KARIM MEMON J.- The petitioner prays that this Honourable Court may be pleased to:

- a) Quash F.I.R. Crime No. 21 of 2025 under Section 379 PPC at Police Station Jhangro, District Tharparkar, lodged by Respondent No.5.
- b) Grant any other relief deemed just and proper under the circumstances of the case.

2. The case of the petitioner is that Respondent No.5 lodged F.I.R. bearing Crime No.21 of 2025 under Section 379 PPC at Police Station Jhangro, District Tharparkar alleging theft of scrap from a vehicle (Long Jeep) on 23.09.2025/24.09.2025. The F.I.R. was lodged due to personal enmity in which brother of Petitioner Muhammad Aslam was falsely implicated, as the petitioner had earlier filed an application against Chanesar, Akbar, and Sajjan before the District & Sessions Judge, Tharparkar, which annoyed Respondent No.5.

3. Learned counsel states that the F.I.R. is false, fabricated, and baseless. Criminal Miscellaneous Application No. 587 of 2025 filed by the applicant before the District & Sessions Judge Tharparkar, was dismissed on 29.09.2025. The F.I.R. was lodged with malafide intention and ulterior motives. No offence occurred, and the allegations are baseless.

4. It is urged that the petitioner's name does not appear anywhere in the F.I.R.; he has been implicated solely based on statements attributed to a

purported witness. No independent identification or evidence links the petitioner to the alleged offence. The F.I.R. is therefore baseless, fabricated, and lodged with malafide intention. He prayed for quash of above F.I.R., as it involves the petitioner without any legal or factual basis and to grant any other relief deemed just and proper in the circumstances of the case.

5. In view of the foregoing, it is noted that, prima facie, no independent evidence links the petitioner to the alleged offence of theft and his name does not appear anywhere in the F.I.R. The learned Magistrate is accordingly directed to reopen the case and after scrutinizing the record of Crime No. 21 of 2025 under Section 379 PPC at Police Station Jhangro, District Tharparkar, order for reinvestigation of the matter through DSP. The report to be submitted by the DSP shall then be evaluated applying judicial mind, and a reasoned decision shall be rendered within a reasonable time after hearing all concerned parties.

6. The petition stands disposed of in the aforementioned terms.

JUDGE

JUDGE

Karar_Hussain/PS*