

HIGH COURT OF SINDH CIRCUIT COURT, HYDERABAD

C.P. No.D-650 of 2025

[Mst. Zareena v. Province of Sindh and others]

BEFORE:

JUSTICE ADNAN-UL-KARIM MEMON
JUSTICE RIAZAT ALI SAHAR

Mr. Meer Ahmed Mangrio, Advocate for Petitioner

Mr. Siraj Ahmed Bijarani, A.P.G.

Mr. Rafiq Ahmed Dahri, Asstt. A.G., along with SHO Huzoor Bux PS
Phulji & DPC Inayatullah PS Kakar Dadu & ASI Ghulam Mustafa PS
Phulji.

Date of hearing & decision: 04.12.2025

ORDER

ADNAN-UL-KARIM MEMON J.- The petitioner, through this
Constitutional Petition, has prayed to:-

- a) Direct the respondents No. 01 to 02 to conduct a departmental inquiry against the respondents No. 5 to 11 for misuse of the official powers at the behest of feudal lords of the area.
- b) Direct the respondent No. 01 to 03 to constitute Joint Investigation Team (JIT) for fair investigation in the Crime/FIRs No.324, 353,337 P(i) PPC at PS Phulji Village and Crime No.04 of 2025, U/S 353, 147, 148, 149, 223, 224 PPC or appoint any competent honest police officer not below the rank of inspector to investigate the case.
- c) Restrain the respondent No. 05 to 11 from the straightaway arrest of the petitioner's son Dilbar in a new FIR without the availability of sufficient evidence against him, and produce a list of cases pending against him which are not within the knowledge of the petitioner party as they legally pursue the cases.
- d) Quash the FIRs registered on behalf of the State against the petitioner's son and her family members and declare the same as false, baseless, and bogus.
- e) Restrain respondents No.5 to 11 from harassing the petitioner and her family members in any manner and direct the respondents 1 to 3 to protect the lives of the Petitioner and her family members.
- f) Direct official respondents to provide legal protection to the petitioner, her son, and relatives.

2. The case of the petitioner is that he and his family were victimized for voting against the ruling party. He claims that the feudal landlords, with the assistance of police officials, carried out acts of persecution. On 21.10.2025

respondents 7 and 9 to 11, along with approximately 15 unidentified individuals, arrived in a Shahzor vehicle and a Dom rickshaw, forcibly entered their home, took their valuables, demolished the house, and abducted his son, Dilbar, who was subsequently implicated in Crime No. 01 of 2025 at Police Station Phulji. The petitioner further states that she filed Criminal Miscellaneous Application before the Justice of Peace, Dadu, which was disposed of with a direction to file a private complaint. Later, his son was implicated in two FIRs, Crime No. 32 of 2024 at PS Kakar and Crime No. 38 of 2024 at PS Radhan but was acquitted in both cases. Thereafter, he was implicated in Crime No. 04 of 2025 at PS Phulji. Alleging misuse of police power, the petitioner filed the present Constitutional Petition and prayed to allow the petition as prayed.

3. Upon notice, SSP Dadu/Respondent No. 4 and SIP Huzoor Bux Hingoro, SHO PS Phulji / Respondent No.7, submitted comments. SSP Dadu stated that he ascertained the facts of the petition from the concerned SHO, PS Phulji/ Respondent No.7, who denied the allegations. According to SHO, on 21.01.2025, SIP Gulzar Ahmed Kandhro, then SHO of PS Phulji, was patrolling with his staff when they spotted Dilbar the petitioner's son, Murtaza Jamali, and others armed with weapons. When the police asked them to surrender, Dilbar opened fire, injuring PC Khadim Hussain, while Murtaza Jamali shot and injured PC Muhammad Saleh before fleeing. FIR No. 01/2025 under Sections 353, 324, 337-FI PPC was registered against the accused. Subsequently, on 16.02.2025, SIP Gulzar Ahmed Kandhro conducted a raid at the Otaq of petitioner's husband and arrested Dilbar Birhmani, Murtaza Jamali, Abdullah, and Yaseen Jamali. Meanwhile, Ahmed Qambrani and others freed the accused and escaped, leading to registration of FIR No. 04/2025 under Sections 353, 223, 224 PPC. Later, Mst. Zareena (Petitioner) filed an application under Sections 22-A & B Cr.P.C against the police, which was dismissed. The SHO further submitted that the petitioner's sons and husband, Roshan Birhmani are of criminal disposition, often abetting criminal activities, with several cases registered against them at PS Phulji and other police stations. Currently, two of her sons, Dilbar and Gulzar, are in District Jail Dadu, while her husband Roshan and son Ashique are proclaimed offenders. The petition, according to the respondents, was filed to pressure the local police and shield the accused from legal consequences. Therefore, they request that the present petition be dismissed being baseless.

4. After hearing the parties and examining the record, this Court noted that the petitioner has alleged harassment and victimization by certain police officials at the behest of influential feudal elements. The allegations include multiple FIRs against the petitioner's son and family members, demolition of property, abduction and intimidation. The respondents, however, deny these allegations, contending that the petitioner's family members are involved in criminal activities

and that the petition has been filed to pressurize the police and evade lawful accountability.

5. Considering the gravity of allegations, the principles of fair investigation and the need to protect citizens from potential misuse of authority, this Court directs IGP Sindh to assign re-investigation of all FIRs and criminal cases registered against the petitioner's son and family including cases at PS Phulji, PS Kakar, and PS Radhan to an officer of unimpeachable integrity, not below the rank of SSP. The re-investigation shall be conducted independently, impartially, and diligently, and a detailed report shall be submitted to the trial court within one month, so that the court may apply its judicial mind to the facts and circumstances and pass appropriate orders. Pending the completion of re-investigation, respondents 5 to 11 are restrained from taking any coercive action against the petitioner or her family, unless credible and admissible evidence emerges during the course of investigation. Furthermore, a departmental inquiry shall be initiated against the concerned police officials to determine whether they misused their official powers, acted under external influence, or violated procedural or constitutional safeguards. Appropriate disciplinary action shall be taken against any officer found guilty.

6. This petition stands disposed of in the above terms.

JUDGE

JUDGE

Karar Hussain/PS*