

ORDER SHEET
IN THE HIGH COURT OF SINDH BENCH AT SUKKUR
Cr. Misc. Application No. S-49 of 2026

Date	Order with signature of Judge
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1. For orders on MA No.365/2026
2. For orders on office objection at flag `A`
3. For orders on MA No.366/2026
4. For hearing of main case

19.02.2026

Mr. Rukhsar Ahmed Junejo, Advocate for the applicant

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1. Granted.
2. One week's time granted for compliance of office objections.
3. Granted subject to all just exceptions.
4. Learned counsel for the applicant submits that, upon culmination of the usual investigation in Crime No.349 of 2023, the name of the applicant was placed in column No.II of the police report under section 173 Cr.P.C; however, the learned Magistrate, being dissatisfied with the conclusion of the investigating officer, proceeded to take cognizance of the offence. The record reveals that earlier Cr. Misc. Application No.S-313 of 2025 was preferred before this Court, which was disposed of on 16.10.2025 with a direction to the learned Judicial Magistrate-I, Khairpur, to reconsider the report under section 173 Cr.P.C and to pass an appropriate and reasoned order after affording an opportunity of hearing to the applicant and after examining the material relied upon by the investigating officer while placing the applicant's name in column No.II of the report. In compliance therewith, a speaking order has since been passed by the learned Magistrate.

The grievance of the applicant is that, while passing the impugned order, the learned Magistrate did not advert to or evaluate the statements of the defence witnesses, which, according to the applicant, would materially affect the outcome of the proceedings. After having argued the matter at some length, learned counsel for the applicant, however, does not press the instant criminal miscellaneous application, submitting that the applicant intends to approach the competent trial Court, where the case is pending, for such relief as may be available to him under the law.

In view of the said statement, the present criminal miscellaneous application stands dismissed as not pressed.

J U D G E