

ORDER SHEET  
THE HIGH COURT OF SINDH, CIRCUIT COURT LARKANO  
Cr. Misc. Appln. No. S-71 of 2026

Date	Orders with signature of Judge
	1. For orders on M.A No. 1090/2026. (Urgency Application)
	2. For order on office objection.
	3. For orders on M.A No. 1091/2026. (Exemption Application)
	4. For hearing of main case.
	5. For orders on M.A No. 1092/2026. (Stay Application)

**06-03-2026**

Mr. Khalid Khan Tareen, advocate for the applicant a/w applicant.

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1. Urgency application is disposed of.
2. Office objection be complied with within seven days.
3. Exemption is granted subject to all just legal exceptions.
4. & 5. Learned counsel for the applicant submits that vide impugned order dated 03.03.2026, the learned Court below directed the S.H.O, Police Station Stuart Ganj, Shikarpur to record the statement of the complainant/respondent No.4 as per his verbatim and, if a cognizable offence is disclosed therefrom, to register the F.I.R. in accordance with Section 154, Cr.P.C. Learned counsel contends that the impugned order is not legally tenable. It is argued that a matrimonial dispute exists between one Advocate Hamza Ali Buriro, who is brother-in-law of the applicant and in that background the complainant, who on the instance of Advocate Hamza Ali Buriro is attempting to involve innocent and respectable persons in the matter. It is further submitted that the persons shown as accused in the proposed F.I.R. are being dragged into the case unnecessarily.

Heard learned counsel for the applicant and perused the material available on record including the impugned order.

A perusal of the impugned order reveals that the learned Additional Sessions Judge has issued directions to the S.H.O. to proceed in accordance with law. The concluding portion of the impugned order reads as under:

“Since serious allegations have been levelled against the proposed accused in the instant application, which require proper investigation and the same can only be undertaken after recording the statement of the applicant/complainant. Therefore, respondent No.2, S.H.O., Police Station Stuart Ganj, is directed to record the statement of the applicant as per his verbatim and, if a cognizable offence is made out from his statement, to register the F.I.R. under Section 154, Cr.P.C. He is further directed that in case of registration of the F.I.R., the proposed accused shall not be arrested unless tangible evidence against them comes on record. During investigation, if it is found that the applicant has lodged a false case, action under Section 182, Cr.P.C. be taken against him.”

From the above, it is evident that the learned Court below has merely directed the S.H.O. to record the statement of the complainant and proceed strictly in accordance with law. The learned Court has also safeguarded the rights of the proposed accused by directing that they shall not be arrested unless tangible evidence against them comes on record. It has further been observed that in case the complaint is found to be false, appropriate action under Section 182, Cr.P.C. shall be taken against the complainant.

It may also be observed that the direction issued by the learned Court below only facilitates recording of the complainant's version and, if a cognizable offence is disclosed, registration of the F.I.R. in accordance with law. Such direction does not determine the guilt or innocence of the proposed accused, which shall remain subject to investigation and subsequent proceedings before the competent Court.

In such circumstances, the impugned order does not suffer from any illegality, irregularity, or jurisdictional defect warranting interference by this Court.

Consequently, the instant Criminal Miscellaneous Application is dismissed in limine, along with the listed applications.

Needless to observe that the observations made herein are tentative in nature and shall not influence the investigation or any subsequent proceedings, which shall be conducted strictly in accordance with law.

Judge

Abdul Salam/P.A \*\*\*\*