

# IN THE HIGH COURT OF SINDH KARACHI

CrI. Misc. Application No. S-667 of 2025  
along with  
CrI. Misc. Application No. S-662 of 2025

Applicant : Lakhmir s/o Jamil Ahmed (late)  
Through Agha Mir Mustafa Durrani, Advocate

Respondent No.1 : Jahanzaib Baloch s/o Noor Muhammad  
Through Mr. Mian Haad A.M. Paggawala  
Advocate

The State : Through Mr. Muhammad Mohsin Mangi, APG  
and Mr. Irshad Ahmed Shaikh, AAG.

Date of hearing: 13.05.2026  
Date of decision: 25.05.2026

## **ORDER**

**MIRAN MUHAMMAD SHAH, J:-** These are two Criminal Miscellaneous application bearing No.667 & 662 of 2025. Both applications arise out of and been challenged by the same order passed by the learned District & Sessions Judge, Malir, Karachi, therefore they were tagged together for the sake of convenience.

2. Criminal Miscellaneous Application No.662 of 2025 has already been disposed of by this Court vide order dated 22.08.2025 with directions to approach the concerned SHO, and in the event if any cognizable offence is made out, the FIR may be lodged. In the above terms, the said application was disposed of. However, criminal Miscellaneous Application No.667 of 2025 remained pending due to the operation of the interim stay granted therein. The matter has now been fixed before this bench.

3. As mentioned above, these are two different Criminal Miscellaneous Application, both arise out of and challenge the same order, but by two different people, and they both were respondents in the impugned order. Whereas, the

applicant in the impugned order has been made respondent No.1 in both the Criminal Miscellaneous Applications.

4. This Court, vide order dated 22.08.2025, has already decided this issue and passed a consent order in connected Cr. Misc. Application No.662/2025. It leaves no room for this Court to further enhance, modify, or change the context of this matter. Despite the fact that learned counsel for the applicant in the present Criminal Miscellaneous Application No.667/2025 was apprised that this Court would not be able to differentiate between the two applications and could not proceed with the case separately, nor distinguish the two connected miscellaneous applications, as both arise out of the same controversy and the same impugned order, learned counsel insisted that he should be heard separately and that perhaps a different relief could be granted. It can be seen from the drafts of both the miscellaneous applications that the prayer clauses more or less consist of the same pleas, and the arguments advanced by the learned counsel are also of the same nature. Both the applicants are respondents in the impugned order, so much so that even the applicant is respondent No.1 in the Criminal Miscellaneous Applications, namely Jahanzaib Baloch.

5. Since this is neither a review application, nor an appeal, nor an application for modification of the order, this matter cannot, in any way, be distinguished from the relief sought in the connected miscellaneous application. Hence, there could legally be no possible change in the order passed earlier by this Court, and the same is reproduced hereunder:-

“After arguing the matter at length both counsel for the parties state that they would be satisfied if this application is disposed of in terms that the SHO Police Station SITE Super Highway Industrial Area, Karachi be directed to record statement of the respondent No.1- Jahanzeb Baloch so also to consider version and documents to be placed by the present applicant and in case after recording such statement/ contention it appears that cognizance offence is committed then to proceed under Section 154 Cr.P.C.

By consent, instant appeal is disposed of in the above terms.”

6. Hence, in light of the above order passed by this Court in the connected Criminal Miscellaneous Application, the present Criminal Miscellaneous Application No.667/2025 also stands disposed of with the direction to the SHO, Police Station SITE Super Highway, Karachi, to record the statement of respondent No.1, Jahanzaib Baloch, and also consider the version and documents placed by the applicant, and in case, after recording such statement/contentions, it appears that a cognizable offence is made out, then the SHO may proceed under Section 154 Cr.P.C.

**JUDGE**

Suleman Khan/PA

