

ORDER SHEET
THE HIGH COURT OF SINDH, CIRCUIT COURT LARKANO
Cr. Misc. Appln. No. S-215 of 2026

Date	Orders with signature of Judge
------	--------------------------------

1. For orders on M.A No. 3075/2026. (Urgency Application)
2. For orders on office objection.
3. For orders on M.A No. 3076/2026. (Exemption Application)
4. For hearing of main case.

07-07-2026

Mr. Abid Hussain Kalhoro, advocate for the applicant

.....

The applicant Ghulam Mustafa is aggrieved by the impugned order dated: 23.06.2026, passed by the learned Additional Sessions Judge-II/Justice of Peace, Mehar, who has dismissed his complaint (Cr. Misc. Appln. No. 1322/2026) against the proposed accused/respondents.

Counsel for the applicant Ghulam Mustafa contests the dishonourment of cheque. Learned Ex-Officio/Justice of Peace dismissed Ghulam Mustafa's complaint on the ground that the matter involving the same parties had been disposed of in terms of recording of statement of the proposed accused/respondent, Abdul Waheed in Cr. Misc. Appln. No. 1137/2026.

Heard the counsel for the applicant.

It appears that the Ex-Officio Justice of Peace had already ordered recording of statement of Abdul Waheed. Bearing in mind the principles laid down in the *Sughra Bibi case*, it was/is now upto the police authorities to take further steps as per the statement recorded of Abdul Waheed. In such circumstances, if the information gathered by the police authorities contains a version as to how or when the relevant offense was committed and in which background it was committed then the police authorities are alone at liberty and are also the appropriate form to take further action. No case is made out for further recording of statements after the order dated 23.06.2026, passed by the Ex-Officio Justice of Peace in Cr. Misc. Appln. No. 1137/2026. It would be the duty of the police authorities to take action against the wrongdoer based on information obtained and further

investigation, as the case may be. This may or may not involve the recording of statement of others, including, inter alia, Ghulam Mustafa. The aspect of the case as pleaded by the applicant, Ghulam Mustafa will be seen by the police authorities.

Finally Ghulam Mustafa in Cr. Misc. Appln. No. S-214/2025 today also withdrew the challenge listed before this bench earlier to the order dated 23.06.2026 against the order of the Ex-Officio Justice of Peace to record the statement of the proposed accused Abdul Waheed. At this stage, no interference is required in the impugned order dated 23.06.2026.

Given the above, instant Cr. Misc. Appln. stands disposed of in the above terms along with listed applications.

Judge

Abdul Salam/P.A ****