

**ORDER SHEET
IN THE HIGH COURT OF SINDH
CIRCUIT COURT MIRPURKHAS**

Criminal Misc. Application No.S-157 of 2026

DATE ORDER WITH SIGNATURE OF JUDGE

1. For order on office objection.
2. For hearing of M.A No.1574/2026.
3. For hearing of main case.

09.07.2026

Mr. Francis Lucas Khokhar, advocate for the applicant.
Mr. Dileep Kumar, advocate for respondent No.3
Mr. Dhani Bakhsh Mari, A.P.G.

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KHALID HUSSAIN SHAHANI, J.— Through the instant

Criminal Miscellaneous Application, the applicant has invoked the inherent jurisdiction of this Court, challenging the order dated 23.02.2026 passed by the learned Additional Sessions Judge-I/Ex-Officio Justice of Peace, Mirpurkhas, in Criminal Misc. Application No. 277/2026, whereby an application u/s 22-A & B Cr.P.C filed by the respondent No.3 for according directions to the SHO PS Satellite Town to record his statement in pursuance of section 154 Cr.P.C was allowed.

2. I have heard learned counsel for the applicant at length and subjected the record to anxious scrutiny. It emerges from the candid admission of learned counsel that the applicant did, in fact, issue the cheque in question; however, it is contended that cheque bearing No. 5305867526, originally drawn for a sum of Rs. 1,50,000/-, was subsequently and surreptitiously inflated through the insertion of the digit "2," thereby transmuting the instrument's value to Rs. 2,150,000/-. This assertion, howsoever emphatically pressed, raises a disputed question of fact that cannot, and indeed must not, be adjudicated upon in the summary and truncated proceedings before this Court. Such a controversy, touching as it does upon the very authenticity of the

instrument, is properly and exclusively the domain of investigation, to be unraveled through the diligence of the Investigating Officer upon registration of the FIR, and not through submissions made across the Bar.

3. It is not disputed, and indeed stands admitted, that the cheque in question was presented and met with dishonour. This singular fact, prima facie and without more, brings the matter squarely within the contemplation of Section 489-F of the Pakistan Penal Code, 1860. The learned Ex-Officio Justice of Peace, committed no error of law or jurisdiction warranting the corrective hand of this Court. The impugned order, resting as it does on sound reasoning and a correct appreciation of the material on record, occasions no interference.

4. For the foregoing reasons, I find the instant Criminal Miscellaneous Application to be devoid of merit. The same is accordingly dismissed, along with all pending application(s) connected therewith.

JUDGE

Adnan Ashraf Nizamani