

ORDER SHEET
**HIGH COURT OF SINDH CIRCUIT COURT,
HYDERABAD**

Cr. Misc. Application No.S-832 of 2025

DATE	ORDER WITH SIGNATURE OF JUDGE
<u>27.04.2026</u>	Mr. Hadi Bux Zardari, advocate for applicant Ms. Kainat Baloch, advocate for respondent No.1 Mr. Altaf Hussain Khokhar Deputy Prosecutor General a/w PW Sajjad and Faizan ***

The applicant/complainant is aggrieved by the Order dated 01.12.2025 passed by learned Judicial Magistrate/Consumer Protection Court Tando Allahyar, whereby he accepted the C-class report submitted by the Investigation Officer in Crime No.86 of 2025 registered at P.S Piyaro Lund under Section 324 and 427 PPC. Counsel for the applicant submits that Investigation Officer has not acted fairly and conducted the investigation with malafide intentions and ulterior motives. On the other hand learned DPG and counsel for respondent No.1/accused supported the impugned order and prayed for dismissed of present lis.

I have heard learned counsel for the parties and perused the material available on record.

Perusal of record reveals that Investigation Officer submitted the report for disposal of the case under C-class that was accepted by the impugned order mainly placing reliance on the alleged statements of prosecution witnesses/mashirs and observing that no recovery of bullet and/or empty has been recovered. On the last date of hearing learned DPG had stated that both prosecution witnesses namely Sajjad and Faizan have denied their signature and occurrence, as such both these witnesses were called. The said witnesses appeared today and fully supported the version of complainant.

In view of the above it has surfaced out that the Investigation Officer has not conducted the fair investigation. Accordingly, the SSP District Tando Allahyar is directed to assign investigation of aforesaid crime to some honest Investigation Officer, who shall record the statements of prosecution witnesses afresh and conduct fair investigation of the matter in accordance with law and submit police report or challan by incorporating the version of complainant as to whether the subject FIR has been lodged for commission of offence actually or

for settlement of property dispute or otherwise before the learned Judicial Magistrate for orders in accordance with law.

Instant criminal miscellaneous application stands disposed of accordingly.

JUDGE

Sajid Ali Jassar