

ORDER SHEET
THE HIGH COURT OF SINDH BENCH AT SUKKUR
Cr. Misc. App. No. S – 364 of 2025

Date of hearing	Order with signature of Judge
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Hearing of case

- 1. For orders on office objections at Flag-A
- 2. For hearing of main case

28.09.2026

Mr. Fida Hussain Sahito, Advocate for applicant.
Mr. Aftab Ahmed Shar, Additional Prosecutor General.

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By this application under Section 561-A, Cr.P.C, the applicant has impugned the order dated 22.05.2025, passed by the learned Judicial Magistrate-I, Khairpur, whereby the report submitted by the Investigating Officer under Section 173, Cr.P.C. in “C” class was recommended.

Learned counsel for the applicant submits that the learned Judicial Magistrate-I, Khairpur, misread the material on record while passing the impugned order, approving the report under Section 173, Cr.P.C. submitted by the I.O. and that the applicant has moved an application for registration of FIR under Sections 3 and 4 of the Sindh Child Marriages Restraint Act, 2013 and that these circumstances warrant interference in exercise of the inherent jurisdiction by this Court conferred by Section 561-A, Cr.P.C.

Heard learned counsel for the applicant as well as learned Additional Prosecutor General and perused the record.

Perusal of the record reveals that the FIR under Sections 365-B and 34, PPC was lodged by the applicant, who is the brother of the alleged abductee and the I.O., after recording the statement of the alleged abductee, Mst. Sehrish, under Section 164, Cr.P.C., submitted the report under “C” class, which the learned Magistrate approved through the impugned order. A statement recorded under Section 164, Cr.P.C. before a Magistrate carries considerable weight, and the learned Magistrate acted within the jurisdiction vested in him in placing reliance upon it. The impugned order is well reasoned and does not require

interference under Section 561-A, Cr.P.C. The argument regarding the application for registration of FIR under Sections 3 and 4 of the Act of 2013 is also of no assistance to the applicant, as the same was moved after the impugned order.

Accordingly, the instant application is **dismissed**.

J U D G E

Abdul Basit