

ORDER SHEET

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

Criminal Misc. Application No. S- 177 of 2026
(Zanwar Hussain Unar versus State and others)

Date of hearing	Order with signature of Judge
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- 1. For hearing of MA 1594/2026
- 2. For hearing of main case.

15.10.2026

Mr. Saif-ur-Rehman Naich, Advocate for Applicant.
Mr. Muhammad Raza Katohar, D.P.G

Suresh Kumar,J. Through instant Crl Misc. Application under section 561-A Cr.P.C, the applicant has impugned order dated 06.03.2026 passed by learned Additional Sessions Judge-I/Ex-officio Justice of Peace, Khairpur in Cr. Misc. Application No.940/2026 Re. Mst. Jannat v. State and others, thereby allowing application under section 22-A-6(i) Cr.P.C for registration of FIR.

2. Facts as per record are that husband of applicant got other marriage and applicant Mst. Jannat Khatoon is residing in the house of her father. Proposed accused Zanwar Hussain with pistol, Sajjad Hussain with K.K, Sanam Khatoon with lathi, Rabia Khatoon with lathi, Rukkaya Khatoon with lathi and Zakia Khatoon and Amna came and entered in the house. While coming accused Zanwar Hussain abused Zahid Hussain son of applicant and issued threats of murder, then proposed accused Zanwar Hussain kept the applicant from hairs and dragged. The applicant demanded share, they beaten the applicant party went and approached to P.S for registration of FIR but her FIR was not registered.

3. I have heard learned counsel for applicant, learned DPG and respondent No.4 who appeared in person.

4. Learned counsel for applicant has contended that impugned order passed by learned Additional Sessions Judge is against the law and natural justice. He has further contended that actually daughter of respondent No.3 contracted free will marriage with proposed accused No.1 who is son of applicant, therefore, respondent No.3 filed false application before justice of peace. He has also contended that justice of Peace has not considered the malafide of complainant. He has also contended that police report submitted by SHO P.S Rohri that no such type of incident mentioned in the application taken place and further stated that present application was filed to pressurize the applicant party.

5. Learned DPG has not supported the impugned order on the ground that police report does not support the contention of respondent No.3 and apparently there is malafide on the part of respondent No.3.

6. Having given due consideration to the arguments advanced by counsel for parties and perused impugned order. From perusal of impugned order it reveals that learned Ex-Officio Justice of Peace has allowed the Crl. Misc. Application without considering report submitted by SHO P.S concerned in which it is clearly mentioned that applicant filed present application with mala fide intention to save her relative from the arrest of accused nominated in FIR No.19 of 2026 lodged by applicant. Report further reveals that no such incident mentioned in the application was taken place. Apparently from the available record it reveals that respondent No.4 Mst. Jannat filed Criminal Misc. Application under section 22- A B Cr.P.C with mala fide intention to pressuring the applicant party. It is well settled law that the Ex-Officio Justice of Peace has authority to refuse to issue direction for registration of FIR if the

application is found to be motivated by malafide as per available record. In similar circumstances, the Honourable Supreme Court in the case of *Munawar Alam vs. Qurban Ali Malano* (2024 SCMR 985) has held that there are many precedents regarding misuse of provisions of Section 22-A and 22-B Cr.P.C and it is the prime duty of the Court that such misuse be taken care and application filed should not be lightly entertained and decided in mechanical manner for issuing direction to the Police. Similar view has been taken by the Honourable Supreme Court in the case of *Jamal Khan v. Secretary Home Department* (2021 SCMR 468).

7. Moreover, the Honourable Supreme Court in the case of *Yonis Abbass v. Additional Sessions Judge Chakwal* (PLD 2016 581) has held that functions of Ex-officio Justice of Peace performs, are not executive, administrative or ministerial in as much as he does not carry out, manage or deal with things mechanically. His functions are described in Clause (i) (ii) and (iii) of Sub-section 6 of Section 22-A Cr.P.C are quasi-judicial as he entrains applications, examine the record, hears the parties, passes orders and issue directions with due application of mind, Every list before him demands discretion and judgment.

8. For the reasons above and guidance taken from above cited case law, the instant Criminal Misc. Application filed by applicant is allowed and the impugned order dated 06.03.2026 passed by learned Ex-officio Justice of Peace Khairpur is hereby set aside and Crl. Misc. Application filed by the respondent No.4 is dismissed.

J U D G E

ORDER SHEET

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR
Criminal Bail Application No. S- 616 of 2024

Date of hearing	Order with signature of Judge
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Application in Disposed of case.

For orders on MA No.**6408/2024 (R/surety)**

09.01.2025.

Mr. Permanand Advocate for complainant.
Syed Sardar Ali Shah, Additional Prosecutor General.

None present for applicant, no intimation received. Same was position on the last two consecutive dates which shows that applicant and his counsel have lost interest to pursue listed Application No.6408/2024. Accordingly listed application being MA No.6408/2024 is dismissed for non-prosecution.

J U D G E

Irfan/PA

ORDER SHEET

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR
Criminal Misc. Application No. S- 751 of 2024

Date of hearing	Order with signature of Judge
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- 1. For orders on office objections.
- 2. For hearing of main case.

09.01.2025.

Mr. Muhammad Raza Soomro, Advocate for the Applicant.

Syed Sardar Ali Shah, Additional Prosecutor General along with SIP
Ali Sher Shaikh SHO of PS ‘A’ Section Khairpur and SIP Ghulam
Asghar Ujjan on behalf of S.S.P Khairpur

Respondent No.3 files statement along with photocopies of 164 Cr.P.C statement of alleged detainee Mst. Salma and order dated 07.01.2025 passed by Civil Judge & Judicial Magistrate/Consumer Protection Court, Khairpur which reflect that alleged detainee Mst. Salma along with her minor son Hubdar was produced before concerned Magistrate where statement of Mst. Salma under section 164 Cr.P.C was recorded in sindhi language wherein she stated that she has not been kidnapped by anyone and after her recording statement she was set at liberty to go on her own accord with her mother-in-law Shamim Akhter.

After apprising such facts, counsel for applicant does not press instant Criminal Misc. Application and submits that he will avail the remedy available to him before the competent forum under law. Order accordingly.

J U D G E

Irfan/PA

ORDER SHEET

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR
Criminal Misc. Application No. S- 713 of 2024

Date of hearing	Order with signature of Judge
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For hearing of main case.

09.01.2025.

Syed Sardar Ali Shah, Additional Prosecutor General.

Mr. Abdul Haseeb Khuhro, Advocate files vakalatnama on behalf of applicant, taken on record. He seeks time for preparation. Mr. Ajeebullah Junejo Advocate once again seeks time to file vakalatnama on behalf of remaining proposed accused. Time is allowed.

Adjourned to **03.02.2025.**

J U D G E

Irfan/PA

ORDER SHEET

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR
Criminal Misc. Application No. S- 614 of 2024

Date of hearing	Order with signature of Judge
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For hearing of main case.

09.01.2025.

Mr. Ghulam Nabi Chadhar, Advocate for Applicant.
Mr. Manzoor Hussain Chohan, Advocate for Respondents.
Syed Sardar Ali Shah, Additional Prosecutor General.

It is pointed out that Criminal Misc. Application No. S-537/2024 arising out of same facts is pending adjudication before this Court. Office is directed to tag Criminal Misc. Application No. S-537/2024 along with this Criminal Misc. Application before the same bench.

Adjourned to **30.01.2025.**

J U D G E

Irfan/PA

ORDER SHEET

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR
Criminal Appeal No. S- 45 of 2024
Criminal Appeal No. S- 55 of 2024
Cr. Acq. Appeal No. S-61 of 2023

Date of hearing	Order with signature of Judge
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- 1. For orders on MA No.2236/2024 (426)
- 2. For hearing of main case.

08.01.2025.

Mr. Shabbir Ali Bozdar, Advocate for Appellant in Cr. Acq. Appeal No.S-61/2023.
Syed Sardar Ali Shah, Additional Prosecutor General.

None present for appellant in Criminal Appeal Nos.S-45 of 2024 and S-55 of 2024. Respondent No.2 Mst. Izzat Begum Ujjan in Criminal Appeal No. S-45 and S-55 of 2024 is present and submits that her counsel is out of station and seeks time to bring her counsel Time is allowed.

Adjourned to **03.02.2025.** *Office is directed to place a signed copy of this order in the captioned connected matters.*

J U D G E

ORDER SHEET

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR
Criminal Jail Appeal No. S- 06 of 2024

Date of hearing	Order with signature of Judge
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For hearing of main case.

08.01.2025.

Mr. Rukhsar Ahmed Junejo, Advocate for the Appellant.
Syed Sardar Ali Shah, Additional Prosecutor General.

Complainant Ikram Ali is present and submits that he would not engage his counsel as being confident with Additional Prosecutor General. Counsel for appellant seeks time for preparation.

Adjourned to **03.02.2025.**

J U D G E

Irfan/PA

ORDER SHEET

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR
Criminal Jail Appeal No. S- 06 of 2024

Date of hearing	Order with signature of Judge
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For hearing of main case.

08.01.2025.

Mr. Rukhsar Ahmed Junejo, Advocate for the Appellant.
Syed Sardar Ali Shah, Additional Prosecutor General.

Complainant Ikram Ali is present and submits that he would not engage his counsel as being confident with Additional Prosecutor General. Counsel for appellant seeks time for preparation.

Adjourned to **03.02.2025.**

J U D G E

Irfan/PA

ORDER SHEET

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR
Criminal Misc. Application No. S- 786 of 2023

Date of hearing	Order with signature of Judge
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Hearing of case.

- 1. For orders on MA No. 6606/2023 (U/A)
- 2. For hearing of main case.

08.01.2025.

Mr. Noor Hassan Malik, Advocate for applicant.
Syed Sardar Ali Shah, Additional Prosecutor General.

Mr. Achar Khan Gabol advocate for private respondents Nos. 2 to 10 is stated to be busy before another bench. Repeat notice to remaining respondents.

Adjourned to **03.02.2025.**

J U D G E

Irfan/PA

ORDER SHEET

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR
Criminal Misc. Application No. S- 786 of 2023

Date of hearing	Order with signature of Judge
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Hearing of case.

- 3. For orders on MA No. 6606/2023 (U/A)
- 4. For hearing of main case.

08.01.2025.

Mr. Noor Hassan Malik, Advocate for applicant.
Syed Sardar Ali Shah, Additional Prosecutor General.

Mr. Achar Khan Gabol advocate for private respondents Nos. 2 to 10 is stated to be busy before another bench. Repeat notice to remaining respondents.

Adjourned to **03.02.2025.**

J U D G E

Irfan/PA

