

ORDER SHEET

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

Criminal Misc. Application No. S- 447 of 2026
(Muhammad Siddique Vs. The State & others)

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

16-10-2026

Applicant Muhammad Siddique in person.
Mr. Khalil Ahmed Maitlo, Deputy P.G for the State.

Suresh Kumar,J. Through the instant CrI. Misc. Application under Section 561-A Cr.P.C., the applicant has impugned the order dated 05-06-2026, passed by the learned IIIrd Additional Sessions Judge/Ex-Officio Justice of Peace Khairpur, in which he has prayed to set aside the impugned order and to direct the competent authority to ensure a fair and impartial investigation.

2. Heard and perused.
3. From the perusal of impugned order it reveals that learned Ex-Officio Justice of Peace Khairpur has passed the following order:-

“Heard and carefully gone through the record, which suggests that the investigation of the case is already completed and such final report u/s 173 Cr.P.C is already submitted before the Court of competent jurisdiction. Since the investigation of this case is already completed; therefore, this applicant is declined being infructuous. However, the applicant is at liberty to approach the learned Judicial Magistrate concerned for redressal of his grievance, if so desires.

4. Having perused the above order, it reveals that application was declined being infructuous as the challan was submitted. Record further

reveals that the final report submitted by I.O before learned Magistrate was declined with following order dated 17-07-2026:-

“For the reasons recorded above, cognizance on final report submitted by I.O is declined and case is treated to be at interim stage. In the circumstances, further investigation of the case is ordered to be conducted by responsible officer; hence, matter is remitted to Senior Superintendent of Police Khairpur for assigning the same to another responsible office for conducting further investigation fairly in accordance with law and submit report before this Court on the date so fixed.

5. From a bare reading of the above order passed by the learned Magistrate, it reveals that the investigation has already been transferred to another Investigating Officer (I.O.). Today, the I.O. is present and submits a report, which is taken on record, in which he has disclosed that he has made efforts for the arrest of the nominated accused. Since the investigation has already been transferred by the SSP Khairpur in compliance with the order dated 17-07-2026, therefore, the instant CrI. Misc. Application is dismissed as being infructuous. However, the applicant is required to approach the concerned Magistrate for any further grievances, if any.

J U D G E

