IN THE HIGH COURT OF SINDH, CIRCUIT COURT, MIRPURKHAS

Crl. Misc. Application No.S-124 of 2025

Applicant	:	Munawar Hussain s/o Rasheed Ahmed Through Mr. Abdul Razzaque Laghari advocate.
Respondent No.4		Haji Mehmood s/o Muhammad Ismail Through Mr. Arjan Das advocate.
Respondent	:	The State Through Mr. Ghulam Abbas Dalwani, D.P.G.
Date of hearing	:	26.10.2026
Date of Order	:	26.10.2026

O R D E R

NISAR AHMED BHANBHRO, J: Through the instant Criminal Misc. Application, the applicant has challenged the order dated 29.04.2025 passed by the learned Additional Sessions Judge-I, Umerkot in Crl. Revision Application No.15/2024, "Re-Munawar Hussain vs. SHO P.S. Nabisar Road and others," whereby dismissed Crl. Revision application and maintained order dated 18.09.2024 passed by learned Judicial Magistrate, Kunri on an application Under section 133 Cr.P.C.

2. The offence pertains to irrigation matter concerning the supply of water to the parties through Water No.16-R, Rehmore Distributary, Sub-Division Nabisar and it is the case of the applicant that the watercourse within the land has been obstructed by respondent No. 4. The learned trial Court, on cognizance of the application, admitted it and recorded the evidence of revenue officials as well as irrigation authorities and finally concluded that no case for filing an application under Section 133 Cr.P.C was made out, as the evidence suggested that the applicant was using water through illegal force and had constructed Nali on the land of respondent No. 4.

3. When confronted, learned counsel for the applicant failed to controvert the findings rendered by the learned courts below. However, he stated that water is right to irrigate land. Learned D.P.G and counsel for the respondent No.4 supported the impugned order.

4. Since the issue regarding water for irrigating land falls within the domain of the Irrigation Authorities under Section 26 of the said Act, no illegality has surfaced in the impugned order. The instant application fails and is dismissed accordingly.

JUDGE

"Chander Kumar"