IN THE HIGH COURT OF SINDH, CIRCUIT COURT, MIRPURKHAS

Criminal Misc. Application No.S-242/2026

Applicant:	M/s Apna Microfinance Bank Ltd, Through Mr. Noman Aftab advocate.
Respondents:	The State through Mr. Dhani Bux Mari Assistant P.G.
Proposed Accused:	Nemo.
Date of Hearing:	02.11.2026
Date of Order:	02.11.2026

O R D E R

Nisar Ahmed Bhanbhro, J*:* This Criminal Miscellaneous Application under Section 561-A Cr.P.C is directed against the order dated 29.06.2026 passed by the learned 1st Additional Sessions Judge/Ex-Officio Justice of Peace, Sanghar in Criminal Revision Application No.1459 of 2026, whereby dismissed the said application.

2. The grievance of the applicant Banking Company is that they advanced loan against security given by the loanee in the shape of cheque. However, the loanee failed to repay the loan and the cheque were presented to the concerned Bank for encashment, but same were dishonoured. Therefore, the applicant approached the learned Ex-Officio Justice of Peace, seeking directions for the registration of an FIR, which was dismissed.

3. I have heard learned counsel for the applicant as well as learned Assistant P.G for state and perused the record. Admittedly, the applicant is Banking Company and under the provisions of Financial Institutions (Recovery of Finances) Ordinance, 2001, special provisions have been provided under Sections 3 and 20 of the Ordinance, wherein FIA has been nominated as the agency to prosecute persons for willful default, subject to proof of the said default in accordance with the law.

4. Since the applicant seeks the registration of an FIR without proving wilflul default, no case for indulgence is made out and the instant application stands dismissed. However, the applicant is at liberty to take recourse to the provisions of the law, if so advised.

JUDGE

"Chander Kumar"