HIGH COURT OF SINDH CIRCUIT COURT, HYDERABAD

Cr. Misc. Application No.S-542 of 2026

[Asghari vs. Province of Sindh & Others]

Applicant	:	Asghari W/o Fakhruddin **By Faisal Nadeem Abro advocate**
Private respondents	:	Mst. Saira Bano, Shabir Ahmed & Salman **By Ms. Khansa advocate**
Official respondents	:	Province of Sindh & Others **By Mr. Irfan Ali Talpur Deputy P.G**
Date of hearing	:	23.09.2026
Date of decision	:	23.09.2026

O R D E R

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JAWAD AKBAR SARWANA J:- Asghari W/o Fakhruddin – applicant has challenged the Order dated 06.08.2026 passed by II[nd] Additional Sessions Judge/Ex-Officio Justice of Peace, Hyderabad in Criminal Miscellaneous Application No.S-5137 of 2026, wherein the said application was allowed police protection, but the prayer for recording the statement of the applicant was dismissed.

2. I have gone through the impugned Order dated 06.08.2026. Based on the record available, it appears that initially an alleged incident took place on 09.07.2026 and/or 10.07.2026 between the applicant and the private respondents/proposed accused. Initially, in the first round, respondent No.4/proposed accused No.1 filed Criminal Miscellaneous Application No.4846 of 2026 on 21.07.2026, and the same Ex-Officio Justice dismissed it on 28.07.2026, who later passed the impugned order in this lis. While the Ex-Officio Justice of Peace allowed police protection to respondent no. 4/proposed accused no. 1, three days later, the applicant filed this lis, i.e. Criminal Miscellaneous Application No. 5137 of 2026, the subject matter of the present lis, allegedly the incident of 10.07.2026, described from the perspective of the applicant/complainant, which the same Ex-Officio Justice of Peace heard and decided through the impugned order.

3. Counsel for the applicant has argued that a case is made out for recording of the statement based on the information available.

4. The private respondents/proposed accused, in attendance, have engaged Ms Khansa, Advocate, although she is not enrolled as an Advocate of the High Court; she has requested this Bench for audience as

she had conducted the case before the Ex Officio Justice of Peace. Accordingly, I allowed her to proceed with her submissions. She contends that the matter does not involve any cognizable offence, and the learned Deputy Prosecutor General supports this view.

5. Based on the information available on record, both the parties have been given the relief of police protection. There is a history of animosity, differences and enmity between the parties. No further meaningful purpose would be served by recording any statement based on the information available. In the circumstances, I do not find any irregularity or illegality in the impugned Order. Accordingly, this criminal miscellaneous application stands dismissed

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JUDGE

Sajjad Ali Jessar