ORDER SHEET

THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD

Crl. Misc: Application No.S-272 of 2026

DATE	**ORDER WITH SIGNATURE OF JUDGE(S)**

1. For orders on office objection (s)
2. For hearing of main case
3. For orders on stay application

04.11.2026

None present on behalf of the applicants and no intimation has been received. The record shows that instant application was presented on 13.05.2026, since then none have appeared on behalf of the applicants to pursue the *lis*. However, I have perused the impugned order dated 29.04.2026, passed by the learned Additional Sessions Judge-V/Ex-Officio Justice of Peace, Shaheed Benazirabad, who while allowing the Crl. Misc: application under Section 22-A(6)(i) Cr.P.C has held as follows:

> *"I have heard the counsel for applicant and have gone through the report of DSP Complaints Cell Shaheed Benazirabad as well as perused the material available on record carefully. After examining the contents of application and reports submitted by the DSP Complaints Cell Shaheed Benazirabad, this Court is of the opinion that the allegations constitute cognizable offense. SHO concerned is bound to lodge the FIR U/S 154 Cr.P.C, if cognizable offence made out from the statement of the applicant. Consequently, the application is allowed. The concerned SHO is directed to record the statement of the applicant and lodge the FIR against the proposed accused persons, if the allegations reveal the commission of cognizable offense. Additionally, if upon investigation it transpires that the allegations made by the applicant are false or frivolous, appropriate proceedings be initiated against the applicant in accordance with law. In view of the above, criminal miscellaneous application in hand stands allowed."*

The applicants are the proposed accused. The respondent No.1 alleges that he handed over his motorcycle to the applicant No.1 for a few minutes, that it was never returned, that the applicant No.2 stood guarantor for its price which was never paid, that the motorcycle was later found parked at the house of the applicant No.1 and that he was threatened with death when he asked for it. These allegations, if found true, disclose cognizable offences and whether they are true or false is for the investigation to determine, not for this Court at this stage. Learned Justice of Peace has done no more than direct that the statement of the respondent No.1 be recorded and

acted upon if a cognizable offence is made out and has also guarded the applicants by directing action against the complainant should his allegations be found false. Such an order causes no prejudice to the applicants, who will be at liberty to place their version before the investigating officer.

The impugned order suffers from no illegality calling for interference under Section 561-A Cr.P.C. The application is accordingly **dismissed** in ***limine***, along with the listed application.

JUDGE

AHSAN K. ABRO