ORDER SHEET

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Criminal Revision Application No.S-43 of 2026

DATE	ORDER WITH SIGNATURE OF JUDGE

For orders on office objection
For hearing of main case
For hearing of stay application

04.11.2026

Mr. Jehanzaib @ Jansher Memon, Advocate for Applicant
Mr. Saeed Ahmed Janwari, Advocate for Respondent No.1
Ms. Sana Memon, Assistant Prosecutor General

OMAR SIAL, J:- The grievance of the applicant is that the learned District Judge, Tando Muhammad Khan on 10th March 2026 took cognizance of a complaint filed by Mst. Gulshan against the Halepotos.

Learned counsel for the applicant says that there is no case of illegal dispossession made out and that a civil Suit between the parties is pending adjudication before the learned Senior Civil Judge-II, Tando Muhammad Khan. Learned counsel has put on record an order dated 29.08.2026 in support of his arguments. Learned counsel has stressed heavily that this is not illegal dispossession but a simple dispute between two parties on the ownership of the land. Learned counsel may be correct in all the submissions that he is making; however, the learned Judge has only taken cognizance of the complaint. This by no stretch would mean that he has discorded the arguments of the learned counsel. In fact, the learned counsel has not got an opportunity to go before the learned Trial Court with all the arguments that are he is raising before this Court.

I have no doubt in my mind that the learned trial Judge will hear the applicant, examine the documents which he has and then determine whether this is a case of illegal dispossession or a dispute over a plot of land where the illegal dispossession has been invoked as an arms twisting tactics. Learned counsel at this juncture, says that he will file a Section 265-K or 249-A Cr.P.C. application, which is applicable, and requests that the learned trial Judge entertain that. There is no reason for the trial Judge not to entertain his application and give a patient hearing. Learned counsel is satisfied with these directions and, therefore, does not press the Criminal Revision Application further, which is disposed of as above, along with listed application.

JUDGE

Ali Haider