***ORDER SHEET***

**THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD**

**Crl. Misc: Application No.S-755 of 2025**

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

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

**19.11.2026**

Syed Sarfaraz Ali, Advocate for respondents No.4 & 8
Ms.Rameshan Oad, D.P.G for the State a/w Insp. Manzoor Ali on behalf of SSP Hyderabad and SIP Kashif Khan of PS B-Section, Latifabad, Hyderabad

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None present on behalf of the applicant and no intimation has been received. However, I have heard learned counsel for the respondents No.4 & 8 and leanred D.P.G. for the State and perused the record, including the impugned order dated 27.10.2025 passed by the learned II-Additional Sessions Judge/Ex-Officio Justice of Peace, Hyderabad, in Crl. Misc. Application No.6350 of 2025, whereby the application of the applicant under sections 22-A & B Cr.P.C. for recording his statement under section 154 Cr.P.C. and registration of FIR against the proposed accused was dismissed. The relevant operative paras 7 to 9 of the impugned order read as under:-

> *"7. The perusal of the record reveals that accused persons named in the FIR had filed criminal misc. bail application No. 3106/2025, which contains the ground No.05 that complainant party had attacked upon the accused party, resultantly elder brother of the accused namely Anthony Samuel Gill was injured and his right hand was broken.*
>
> *8. The perusal of the record reveals that medico legal certificate issued provisionally by MLO contains the injury No. 1 as defused swelling and complaint of pain at right hand.*
>
> *9. Since, the parties are already inimical to each other and record reveals that applicant have already had injury sustained which is evident from the bail application and the disclosure hereinabove do not constitute cognizable offence, therefore, the application in hand merits no consideration, hence, the same is hereby dismissed. The application is disposed of accordingly."*

Learned Justice of Peace had before him the report of the S.P. Complaint Cell, according to which the parties are blood relatives, there is a dispute between them over a washroom and a fight took

place between both sides on 14.10.2025. Cross-FIR No.200/2025 had already been registered at the instance of the proposed accused' sister and the very injury now alleged by the applicant had been raised by them in their bail application. The medico-legal certificate records only a defused swelling and complaint of pain. On this material the Justice of Peace found that no cognizable offence was disclosed. A free fight between feuding relatives, with a cross-case already registered, is a matter for the ordinary process of law and the applicant is free to bring his version to the notice of the trial Court or the investigating officer, as the law allows. No illegality, perversity or want of jurisdiction is shown in the impugned order and no case for interference under section 561-A Cr.P.C. is made out.

The application is accordingly **dismissed**.

**JUDGE**

AHSAN K. ABRO