

ORDER SHEET  
IN THE HIGH COURT OF SINDH, KARACHI  
Crl. Misc. Appl. No.330 of 2024  
(*Syed Ishrat Rehan v. The State and 02 others*)

---

Date	Order with signature of Judge
------	-------------------------------

---

For hearing of main case

**25.04.2024**

Mr. Zulfiqar Ali, Advocate for the applicant  
Mr. Muhammad Anwar Mahar, DDPP for the State

=====

The facts in brief necessary for disposal of instant Crl. Misc. Application are that a sign board fall on the ground, consequently one person lost his life other sustained injuries for that FIR on behalf of the State was lodged by ASI Shoukat Ali with PS Nazimabad. On consecutive investigation, the final challan in terms of Section 173 Cr.PC was submitted by the police implicating the applicant and others to be responsible for the alleged incident; the cognizance whereof was taken by learned IX - Judicial Magistrate Karachi Central vide order dated 15.03.2024, which is impugned by the applicant before this Court by way of instant Crl. Misc. Application under Section 561-A Cr.PC.

It is contended by learned counsel for the applicant that the applicant has been implicated by the police in the present case falsely ignoring the earlier investigation wherein he was found innocent. By contending so, he sought for setting aside of impugned order with

directions to learned trial Magistrate to pass the same afresh, which is not opposed by learned DDPP for the State.

Heard arguments and perused the record.

In final challan, the applicant is implicated as one of the accused involved in the alleged incident. The positive report u/s 173 Cr.PC could hardly be disturbed. No illegality even otherwise is noticed in impugned order, which may justify this Court to interfere with the same by way of instant Crl. Misc. Application; it is dismissed accordingly directing the applicant to prove his innocence by joining the trial, if so is advised to him.

J U D G E

nadir\*