

# IN THE HIGH COURT OF SINDH AT KARACHI

Present:  
Mr. Justice Jawad Akbar Sarwana

Criminal Misc. Application No.786 of 2025

Applicant : Nadeem Ahmed s/o Aqeel  
Ahmed through Mr. Manzoor  
Hussain Soomro, Advocate

v.

Respondent : The State

Date of Hearing : 08.09.2025

Date of Decision : 18.09.2025

## ORDER

**Jawad Akbar Sarwana, J.:** The applicant/accused, Nadeem Ahmed has filed, in the first instance, this cr. misc. application seeking quashment of proceedings in FIR No.12/2025 under Sections 406, 109 PPC registered at FIA (CCC) Karachi. Applicant/accused has filed applications before the trial court under neither Sections 249-A Cr.P.C. nor 265-K Cr.P.C., and instead filed this application under Section 561-A Cr.P.C. for quashment of proceedings. Therefore, I reserved the case maintainability.

2. Applicant/accused contends that he had filed civil suit no.761/2020 against the complainant of the FIR, Wajid Naseem, who, as a counterblast, got the above-mentioned FIR registered against the applicant/accused for an alleged criminal offence, which apparently occurred in 2019-2020. The applicant/accused contends that the ingredients of Section 406 Cr.P.C. are also not made out.

3. Heard Counsel and perused the record available on file as alleged by the applicant/accused and reported Judgment of the Supreme Court of Pakistan reported in Ayesha Tayyab v. SHO, Police Station Cantt. District Sialkot and Others, 2025 SCMR

**1117, I find the above titled Cr. Misc. Appln. to be maintainable.**

4. Issue Notice to the Respondents, DAG and APG for next week to come up for hearing according to Roster.

**J U D G E**