

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA
C.P No. S-83 of 2026

Date *Order with signature of Judge*

1. For orders on office objection.
2. For orders on maintainability of Main Case.

09.06.2026

Mr. Rafique Ahmed K. Abro, Advocate along with Petitioner.
Mr. Aftab Ahmed Bhutto, Assistant Advocate General, Sindh.

-x-x-x-x-x-

Ali Haider 'Ada', J:- Through this petition, the petitioner has made the main prayer that the official respondents be restrained from causing harassment as well as implicating him in false criminal cases and has further prayed that they be restrained accordingly.

2. Learned counsel for the petitioner submits that the land in question was purchased from private respondents No.5 and 6; however, they did not perform the contract, whereupon the petitioner invoked the jurisdiction of the Civil Court by filing a Suit for Specific Performance. However, during the pendency, one DSP Miro Khan, under the influence of respondents No.5 and 6, started harassing the petitioner for vacating the land and even issued threats. He further contends that the petitioner approached the Justice of Peace / Additional District and Sessions Judge-II, Shahdadkot, who passed an order dated 24.01.2026 whereby protection was provided, but such order has neither been complied with nor implemented by the police; therefore, he approached this Court. He submits a photograph as well as an FIR under the cover of his statement and submits that despite the protection having been provided, an FIR bearing No.23 of 2026 was registered against the petitioner, as he was on bail. He, therefore, prays for stern action.

3. On the other hand, learned Assistant Advocate General, Sindh submits that the petition pertains to harassment and the protection has already been provided.

4. Heard and perused.
- (a) Firstly, without giving any verdict upon the case, it is very essential to note that the Justice of Peace/Additional District and Sessions Judge-II, Shahdadkot, has already provided protection. Under Article 199 of the Constitution of Pakistan, this Court is not an executing Court for implementation of the order passed by the Justice of Peace; rather, the Justice of Peace, under Section 22-A(6)(iii) Cr.P.C., is already empowered to implement his own order, as the same pertains that if any further police excess is committed, then the Justice of Peace can curtail such exercise of excess. Therefore, for the implementation or compliance of such order, this Court is not the forum where an order of the Justice of Peace is to be complied with. On such account, the plea raised by the petitioner is misconceived, therefore, such plea is discarded.
- (b) Secondly, the Civil Suit was filed and thereafter, according to the petitioner, the police started harassing him to vacate the land and an FIR was registered. Such controversy cannot be resolved through this petition and, in any case, if any harassment was caused, protection has already been awarded. The petitioner, even though having a remedy under Order XXXIX Rule 1 and 2 C.P.C, either to be filed or already filed, has, despite availing judicial remedies before the competent Court, approached this Court.
5. Keeping in view that this petition is misconceived, therefore, the same is hereby **dismissed**.

JUDGE