

ORDER SHEET

IN THE HIGH COURT OF SINDH, CIRCUIT COURT LARKANA

Criminal Misc: Application No. S-128 of 2026

Mst. Balqees v. S.S.P, Dadu & others.

<u>Date</u>	<u>Orders with signature of Judge</u>
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1. For orders on office objections 'A'.
2. For hearing of main case.

11-06-2026

Mr. Abdul Qudoos Jatui, Advocate for applicant.

Mr. Nazir Ahmed Bangwar, Deputy Prosecutor General.

Through this application, the applicant has assailed the order dated 16.12.2025 passed by the learned Additional Sessions Judge-II/Ex-Officio Justice of Peace, Mehar, whereby her application under Sections 22-A and 22-B, Cr.P.C. was dismissed.

The applicant had approached the learned Justice of Peace with the allegation that her daughter had been abducted at gunpoint by the proposed accused persons and that, despite disclosure of a cognizable offence, no criminal case had been registered by the police. Notices were issued by this Court to the proposed accused; however, today the Process Server has reported that they are not residing at the addresses provided. Despite service attempts, none of the proposed accused has appeared before this Court, although they had appeared before the learned Justice of Peace during the earlier proceedings.

Learned counsel for the applicant contends that a young girl is missing and her whereabouts remain unknown, yet the matter has not been reported through registration of a

criminal case. Conversely, the learned State Counsel submits that, considering the seriousness of the allegations, the matter requires appropriate action in accordance with law.

Heard. Perused the record.

The impugned order reveals that the learned Justice of Peace dismissed the application mainly on the ground that an earlier miscellaneous application filed by the husband had already been dismissed. However, nothing has been pointed out from the record to demonstrate that the allegations raised therein pertained to the same occurrence. Moreover, the fact remains that the alleged abductee is stated to be missing, as disclosed by her mother, the present applicant.

At this stage, this Court is not required to determine the truth or falsity of the allegations. The scope of jurisdiction under Sections 22-A and 22-B, Cr.P.C. is confined to examining whether the facts narrated by the applicant prima facie disclose the commission of a cognizable offence. Tentatively, the allegations so advanced do attract the commission of a cognizable offence, thereby warranting action by the police in accordance with law.

The public functionaries are under a statutory obligation to act upon information relating to a cognizable offence and to take necessary measures for recovery of the missing person and ascertainment of the true facts.

Accordingly, this application is allowed. The order dated 16.12.2025 passed by the learned Additional Sessions Judge-II/Ex-Officio Justice of Peace, Mehar, is hereby set aside. The Station House Officer concerned/Respondent No.2 is directed to record the statement of the applicant and, if the information so furnished discloses the commission of a

cognizable offence, to proceed strictly in accordance with Section 154, Cr.P.C., and thereafter take all consequential legal steps without delay. The directions contained herein shall be complied with forthwith.

JUDGE