

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT
LARKANA

Constitution Petition No.D-666 of 2026.
(Pervaiz Ali and another vs Province of Sindh and others).

Before:-
Mr Justice Amjad Ali Bohio,
Mr. Justice Ali Haider 'Ada'.

01. For orders on office objection "A".
02. For hearing of M.A.No.3438/2026. (S/A)
03. For hearing of main case.

01.10.2026.

Mr. Muhammad Ibrahim Lashari, Advocate for Petitioners.

Mr. Saeed Akbar Siyal, Assistant Advocate General, Sindh,
along with Inspector/SHO Ali Hamz of P.S Mubarakpur,
Jacobabad.

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Ali Haider 'Ada' J.- FIR No.21/2026 was registered at Police Station Mubarakpur, Jacobabad, on 20.07.2026 for offences punishable under Sections 337-F(v), 337-A(i), 504, 147 and 148 PPC, with the date of occurrence shown as 18.07.2026, wherein the present petitioners have been nominated as accused. The petitioners seek quashment of the said FIR mainly on the ground that FIR No.20/2026 had already been lodged by Petitioner No.1 on 18.07.2026, wherein he was the complainant and offences punishable under Sections 452, 337-A(ii), 504, 506/2, 147, 148 and 149 PPC were alleged, with the date of occurrence also shown as 18.07.2026.

2. Learned counsel for the petitioners has relied upon the case of Sughra Bibi, reported as PLD 2018 SC 595, contending that registration of a second FIR in respect of the same occurrence is not permissible and, therefore, FIR No.21/2026 is liable to be quashed.

3. On the other hand, reports/statements have been filed by the Law Officer on behalf of the SSP, Jacobabad, and by the Investigating Officer of FIR No.21/2026, stating that both FIRs have already been challaned and are pending trial before the respective competent Courts.

4. Learned Assistant Advocate General, Sindh, submits that the mere allegation of a second FIR does not, in the circumstances of the present case, warrant its quashment, particularly when the two versions disclose distinct factual circumstances. He submits that any question regarding the legality, truthfulness or evidentiary worth of the respective versions is to be determined by the competent trial Court upon examination of the material available on record.

5. Heard and perused.

6. Perusal of the record reflects that FIR No.20/2026 was lodged by Petitioner No.1 against, inter alia, Gul Hassan, who was allegedly armed with a T.T. pistol and caused injuries to Mst. Nusrat; Javed, who allegedly caused injury to Fakhur Din; Irshad, who allegedly caused injury to the complainant/Petitioner No.1; and other nominated accused. The occurrence was reported on 18.07.2026. Conversely, in FIR No.21/2026, the complainant, namely Gul Hassan, alleged that the occurrence took place at Unar Wah near Village Dur Muhammad Bangulani. Thus, prima facie, the place of occurrence mentioned in the two FIRs is not the same. Likewise, the timing of the alleged occurrences also differs, the occurrence forming the subject matter of FIR No.21/2026 is stated to have taken place at about 07:15 a.m., whereas the occurrence narrated in FIR No.20/2026 is stated to have taken place at about 08:00 a.m. The respective allegations, therefore, cannot, at this stage, be conclusively treated as constituting one and the same occurrence merely because both FIRs bear the same date.

7. The principle laid down in *Sughra Bibi* (supra) regarding the registration of a second FIR cannot be applied mechanically without examining the nature of the allegations, the identity of the occurrence, the place and time of the incident, and the factual

circumstances disclosed in the respective versions. Whether the two FIRs relate to the same transaction or constitute distinct occurrences is essentially a factual question, determination of which requires appreciation of the material collected during investigation and, where necessary, evidence before the trial Court.

8. It is further significant that both cases have already been challaned and are pending before the competent trial Courts. At this stage, this Court, in its constitutional jurisdiction, cannot undertake a detailed appreciation of the evidence or record findings on disputed questions of fact. The petitioners may avail themselves of the remedies available to them before the competent trial Court, including those under Sections 249 or 265-K Cr.P.C, as the case may be.

9. In view of the foregoing circumstances, no case for interference or quashment of FIR No.21/2026 is made out at this stage. Consequently, the instant petition is dismissed accordingly.

JUDGE

JUDGE