

ORDER SHEET

**IN THE HIGH COURT OF SINDH, CIRCUIT COURT
LARKANA**

**Criminal Miscellaneous Application. No. S-192 of 2026.
(Imran Khan vs S.H.O P.S Dari and others)**

Date	Orders with Signature of Judge
	1. <i>For order on office objection.</i> 2. <i>For hearing of main case.</i>

21-09-2026.

Mr. Muhammad Tariq Abbasi, advocate for the applicant
Mr. Nazeer Ahmed Bangwar, Deputy Prosecutor General,
along with S.I.P Ashique Ali of P.S. Dari.

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Ali Haider ‘Ada’ J.- Through this application, the applicant/appellant has assailed the order dated 22.05.2026, passed by the learned Additional Sessions Judge-V/Ex-Officio Justice of Peace, Larkana, whereby the application filed under Sections 22-A & 22-B, Cr.P.C. was dismissed.

2. The crux of the case is that the present applicant filed an application under Sections 22-A & 22-B, Cr.P.C, in respect of an offence punishable under Section 489-F, PPC, alleging that the proposed accused/respondent No.4 had issued a cheque which was subsequently dishonoured. However, such facts, according to the applicant, were not properly considered by the learned Justice of Peace.

3. After filing of the instant application, notices were issued to the proposed accused/respondent No.4. However, service could not be effected and, upon furnishing a fresh address, notices were again issued. Today, the process server has submitted a statement that the proposed accused could not be found. Despite repeated efforts

and issuance of notices by this Court, service upon the proposed accused had not attracted.

4. Learned Deputy Prosecutor General submitted that it is within the domain of the learned Justice of Peace to issue appropriate directions where a cognizable offence is prima facie made out, particularly when the issuance of the cheque is not disputed.

5. Heard and considered.

6. The learned Justice of Peace declined to entertain the application on the ground that the cheque had been issued within the territorial jurisdiction of District Rahim Yar Khan, Province of Punjab, and, therefore, the police authorities at Larkana had no territorial jurisdiction. However, the record reflects that the cheque was presented/deposited within the territorial jurisdiction of Larkana and was thereafter dishonoured. Thus, part of the offence arose within the territorial jurisdiction of the concerned police station. The question of territorial jurisdiction in such circumstances stands dealt with in **PLD 2010 Lahore 60, (MAZHAR HUSSAIN versus State)** while **Section 179, Cr.P.C.**, also attracts in a case where an act is done at one place and its consequence ensues at another place.

7. Accordingly, the learned Justice of Peace was competent to entertain the application and pass appropriate directions in accordance with law. It is also relevant to observe that **Chapter XXV of the Police Rules, 1934**, provides the mechanism whereby, if during investigation the police find that the matter falls within the jurisdiction of another police station, the case is to be transferred to the concerned police station in accordance with law. Therefore, the question of territorial jurisdiction, at this stage, could not by itself constitute a ground for refusal to direct registration of the FIR where a cognizable offence is otherwise disclosed.

8. In view of the foregoing facts and circumstances, this criminal miscellaneous application is allowed. The impugned order dated 22.05.2026, passed by the learned Additional Sessions Judge-V/Ex-Officio Justice of Peace, Larkana, is hereby set aside. The SHO, Police Station Dari, Larkana, is directed to record the statement of the applicant and, if a cognizable offence is made out, to proceed in accordance with law and register the FIR. It is, however, clarified that the investigation shall be conducted strictly in accordance with law, including the question of territorial jurisdiction, and if during investigation it is found that the matter falls within the jurisdiction of another police station, the case shall be dealt with accordingly.

JUDGE