

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

Criminal Misc: Application No. S-345 of 2026.
Shahzaib and another v. SHO, PS Civil Line & others.

Date	Orders with signature of Judge
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1. For orders on M.A No.4995/26 (U/A).
2. For orders on office objections 'A'.
3. For orders on M.A No.4996/26 (E/A).
4. For hearing of main case.
5. For orders on M.A No.4997/26 (S/A).

24-09-2026.

Mr. Javed Ahmed Soomro, Advocate for applicants.

Ali Haider 'Ada' J.- Through this application, the applicant has assailed the order dated 23.09.2026 passed by learned VI-Additional Sessions Judge/Ex-Officio Justice of Peace, Larkana in Criminal Miscellaneous Application No.1780/2026 under Section 22-A and B (6)(i) Cr.P.C for making statement that the present applicants issued a cheque. Said application was allowed directing the concerned police to record the statement of applicant.

2. Learned counsel for applicant relies upon the statement of DSP Complaint Cell, wherein showed that there is land dispute, however, learned counsel also placed reliance upon some agreements as well as Iqarnamas showing that neither the possession was handed over to him nor any further process has been completed as they remained disputed. He placed that good defence is there but Justice of Peace did not consider the same.

3. Heard and perused.

4. The scope of Justice of Peace is not to collect the material from each corner regarding defence if any, as the defence, prima facie if contended shows that there is malafide on the part of aggrieved party then the same is to be considered, however, from very face of it, the applicants had issued a cheque which was

dishonored however regarding the self-possession of such dishonour of cheque then the proper course to join investigation.

5. The Law permits that the Justice of Peace is not the investigating Officer to act as Investigating Officer, however, he has to see the material available on record. Reliance is placed upon **Syed Qamber Ali Shah v. Province of Sindh and others, 2024 SCMR 1123.**

6. Keeping in view aforesaid facts and circumstances, the instant application is dismissed in *limine*.

JUDGE