

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

Criminal Misc. Application No. S-341 of 2026

DATE	ORDER WITH SIGNATURE OF JUDGE
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- 1. For orders on M.A No.3089/2026.
- 2. For order on office objections.
- 3. For orders on M.A No.3090/ 2026.
- 4. For hearing of main case.

09.10.2026

Mr. Mir Najeebullah Khan Jadoon advocate for the applicant.
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RIAZAT ALI SAHAR, J:-

- 1. Urgency granted.
- 2 to 4. Through the instant proceedings, the applicant has invoked the supervisory jurisdiction of this Court, calling in question the order dated 02.10.2026, passed by the learned Additional Sessions Judge-I/Ex-Officio Justice of Peace, Tando Adam, on an application filed under Sections 22-A and 22-B Cr.P.C.

Mr. Ghulam Abbas Dalwani, Deputy Prosecutor General present in some other case submits that the learned Court below has already ordered about providing the protection to the applicant and no further interference is warranted in the matter, as the applicant has already been granted protection in accordance with law.

A perusal of the material available on record reveals that FIR No.29 of 2026, for offences punishable under Sections 337-F(iv), 114 and 506(ii) PPC, was registered at Police Station Gaheja against Mushtaque Brohi, who happens to be the son of the present applicant. It further appears that criminal litigation is already pending between the parties, and the applicant, apprehending harassment at the hands of the police, approached the learned Ex-Officio Justice of Peace, seeking appropriate directions for protection against alleged unlawful interference and intimidation.

The record further reflects that the learned Ex-Officio Justice of Peace, while deciding the application, had already issued specific directions to the concerned Station House Officer to provide lawful protection to the applicant, as well as to every other citizen, strictly in accordance with law, and to ensure that no harassment or coercive action is taken against the applicant except through due process of law.

In view of the aforesaid circumstances, it appears that the applicant has approached this Court notwithstanding the fact that the learned Ex-Officio Justice of Peace has already granted the protection permissible under the law. The pendency of criminal proceedings against the applicant's son, coupled with the nature of the relief sought, prima facie suggests that the instant proceedings may have been initiated with an ulterior motive to obtain further protection in connection with the pending criminal case. However, mere apprehension of harassment, without any specific material demonstrating unlawful conduct or violation of the impugned order, does not furnish sufficient justification for interference by this Court in its supervisory jurisdiction.

It is pertinent to observe that the jurisdiction conferred upon an Ex-Officio Justice of Peace under Sections 22-A and 22-B Cr.P.C. is intended to address grievances falling within the statutory framework and cannot be invoked as a means of obstructing lawful investigation or securing immunity from criminal proceedings. Equally, the police authorities are under a legal obligation to protect the life, liberty and dignity of every citizen and are not permitted to resort to harassment, intimidation or coercion otherwise than in accordance with law.

In the circumstances, no illegality, material irregularity or jurisdictional defect has been pointed out in the impugned order dated 02.10.2026, warranting interference by this Court. Nevertheless, the concerned SHO is directed to ensure strict compliance with the directions already issued by the learned Ex-Officio Justice of Peace and to refrain from causing any unlawful harassment to the applicant or his family members. It is, however, expressly clarified that such protection shall not extend to shielding any accused person from lawful investigation, arrest or prosecution, nor shall it impede the police authorities from performing their statutory duties strictly in accordance with law.

Consequently, finding no justification for interference with the impugned order, the instant application stands **disposed of** accordingly, with the foregoing observations and directions.

JUDGE