

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD.
Cr. Misc. Appln. No.S- 12 of 2021

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on MA-1404/2021
2. For orders on MA-181/2020
3. For orders on office objection
4. For orders on MA-182/2020
5. For hearing of main case.

24.02.2021.

Mr. Poonjo Ruplani, advocate for applicant.

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1. Urgency granted.

2to5. The applicant by way of instant Criminal Misc. Application has impugned order dated 31.10.2020 passed by Ex-officio Justice of Peace/Ist Additional Sessions Judge, Tando Allahyar whereby his application u/s 22-A & B Cr.P.C was dismissed.

It is contended by learned counsel for the applicant that the applicant and his father were maltreated and threatened of dire consequences by the respondents to satisfy their dispute with them over property, therefore, learned Ex-officio Justice of Peace/Ist Additional Sessions Judge, Tando Allahyar ought to have directed the police to record statement of the applicant for purpose of FIR.

I have considered the above argument and perused the record.

The parties are disputed over landed property, even otherwise, the allegation of maltreatment and threats of dire consequences, if any, subject to correctness could be proved by the applicant by filing a direct complaint. In these circumstances, learned Ex-officio Justice of Peace/Ist Additional Sessions Judge, Tando Allahyar was justified to have refused recording statement of the applicant for purpose of FIR by way of impugned order, which is not calling for any interference by this Court by way of instant Criminal Misc. Application, it is dismissed in limine.

JUDGE