

Order Sheet  
**IN THE HIGH COURT OF SINDH,**  
CIRCUIT COURT, HYDERABAD

CP No. D- 207 of 2018

**Present:-**

**Mr. Justice Muhammad Saleem Jessar**

**Mr. Justice Adnan-ul-Karim Memon**

Date of hearing:  
& decision:

20.11.2019

Petitioner:

Achar Khan through Faqir Rehmatullah  
Hisbani., Advocate.

Respondents:

Province of Sindh through Mr. Allah Bachayo  
Soomro, Addl.A.G.

**ORDER**

**ADNAN-UL-KARIM MEMON, J:** - Through this petition, the petitioner has prayed for the following relief(s):-

- a. To direct the respondents to take stern action against the persons mentioned in para-2 of the petition and closely watch their illegal, unlawful and subversive activities in order to avoid any untoward incident who have contacts with terrorist groups including Taliban, involved in illegal, unlawful and subversive activities including selling of narcotics, weapon etc.

2. Brief facts of the case are that petitioner has shown twenty one (21) persons in para 2 of the petition who belong to Pathan community. According to petitioner the said persons are vagabonds and now residing near village of the petitioner; the petitioner has seen that certain strangers used to visit them duly armed with deadly weapons and creating sense of insecurity amongst the locality of petitioner, therefore, the petitioner made complaint to the police who registered FIR Nos. 35 and 45 of 2017 at police station Khipro under Section 14 of Foreign Act 1946 but did not take any action against them and there is great apprehension of law and order situation in the locality therefore the petitioner finding no other way has filed the instant petition.

3. Mr. Faqir Rehmatullah Hisbani learned Counsel for the petitioner has argued that that the petitioner has fundamental rights under Articles 9 and 25 of the Constitution to seek protection of his liberty as a citizen of this country against the criminals and their activities.

4. We are not persuaded by this contention of the learned counsel. Since every citizen of this country is equally entitled for protection under the law. The protection of the term "liberty" used in the aforesaid Article would not cover his case all alone. Article 9 of the Constitution protects the life and liberty of every citizen of this country. We have noticed that SSP Sanghar has filed his comments. In the comments it has been stated that upon receiving complaint from petitioner he made enquiry and came to know that the above persons are not involved in any subversive and illegal activities. It has further been stated that one Meva Khan Pathan and others bought two acres of land near the village of petitioner and used to reside there hence the petitioner has made false complaints against him.

5. We, for the aforesaid reasons, dismiss the captioned petition along with pending application(s); however he may seek his remedy before competent forum against the purported activities, if any, of the persons complained in accordance with law.

JUDGE

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