

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
C.P.No.D-427 of 2020

1. For order on office objection
2. For hearing on Misc.No.1810/2020
3. For hearing of main case

20.02.2020

Mr. Irfan Aziz, advocate for petitioner.

Mr. Abdul Wasay Kakar advocate for private respondents.

Ms. Naushaba Haq Solangi, AAG for the State.

It is contended by learned counsel for the petitioner that the petitioner and his family members are being involved by the SHO PS Surjani Town in a false FIRs and he has failed to apprehend the nominated accused of FIRs Crime No.198/2019 and 258/2019 of P.S. Surjani Town lodged by the petitioner. By contending so, he sought for protection for the petitioner and his family members and departmental action against SHO P.S. Surjani Town for his involvement in land grabbing.

2. It is contended by learned AAG for the state and learned counsel for the private respondents that the FIRs which have been lodged by the petitioner have been cancelled under false "B" Class and the petitioner himself is a land grabber and he in order to defeat the pendency of civil litigation has filed the instant petition before this Court by leveling false allegation against SHO PS Surjani Town. By contending so, they sought for dismissal of the instant petition.

3. We have considered the above arguments and perused the record.

4. Neither any direction for departmental action against public servant could be issued without determining his fault nor could a person be ordered to be arrested in a case which has already been declared to be false by the police on proper investigation by this Court in exercise of its constitutional jurisdiction. Consequently, the instant petition being misconceived is dismissed together with the listed application with direction to the petitioner to pursue the civil litigation in accordance with law.

JUDGE

JUDGE