Date	Order with signature of Judge

1. For hearing of main case.
2. For hearing of MA No. 4352/2020.

04-10-2021.

Mr. Alam Sher Bozdar, advocate for the applicant.

Mr. Aftab Ahmed Shar, Additional Prosecutor Genera, Sindh.

.-.-.-.-.-.-.-.-.-.-.-.

Through the instant Crl. Misc. Application, the applicant has impugned the order dated 28-09-2020 passed by learned IIIrd Additional Sessions Judge/Ex-Officio Justice of Peace Mirpur Mathelo in Crl. Misc Application No. 528/2020 filed by respondent No. 3 against him for registration of FIR, which was allowed, hence he has impugned the same before this Court by filing the instant Crl. Misc. Application.

Learned counsel for the applicant contends that actually respondent No.3 is legally wedded wife of the applicant, but due to *Wata-Sata* the sister of the applicant has filed family suit for maintenance against the brother of respondent No.3, which was decree and the respondent No. 3 in such grudge has filed Crl. Misc. Application for registration of FIR against the applicant, otherwise no such incident has taken place.

On the other hand, learned APG for the State has supported the impugned order.

The record reflects that the applicant is husband of respondent No.3 and the sister of the applicant is wife of brother of respondent No.3, and the family suit for maintenance filed by the sister of the applicant has been decreed, which shows that there is dispute between the parties over the matrimonial affairs and applicant in order to convert the family dispute into criminal litigation, has filed the instant Crl. Misc. Application.

In view of above, the instant Crl. Misc. Application is allowed and impugned order dated 28-09-20200 passed by learned IIIrd Additional Sessions Judge/Ex-Officio Justice of Peace Mirpur Mathelo is set aside. However, the respondent No.3 is at liberty to approach before the competent Court of law for redressal of her grievance by filing direct complaint, if so advised.

Judge

Nasim/P.A