

IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR

Const. Petition No.S- 90 of 2020 a/w
Crl. Misc. Application No.S-223 of 2020

Hearing of Case.

- 1.For orders on office objection.
- 2.For hearing of main case

Mr. Achar Khan Gabol Advocate for petitioners in C.P.No.S-90 of 2020 and for one Muhammad Sharif Khoso.

M/s Riaz Hussain Khaskheli, Iqbal Hussain Joyo, Raja Iftikharo Hussain Ansari and Muhammad Aslam Gadani Advocates for applicants in Crl. M. A. No.S-223 of 2020 and for respondents No.13&14 in C.P.No.S-90 of 2020.

M/s Zulfiqar Ali Jatoi, Additional P.G and Mehboob Ali Wassan, Assistant A.G.

Date of Hearing: 19-10-2020

Date of Order: 19-10-2020

ORDER

Aftab Ahmed Gorar J. In Const. Petition No.S- 90 of 2020, petitioners are seeking arrest of nominated accused / private respondents No.13&14 so also other absconding accused, nominated in FIRs bearing Crime No.13/2014 and Crime No.15/2014 registered with P.S, Abad-Sukkur on the ground that despite issuance of NBWs by the learned trial Court, the SHO concerned has failed to arrest the respondents No.13& 14 so also other absconding accused though they are residing in their houses and openly roaming in the area. The petitioners also seek directions to learned trial Court for initiating proceedings in terms of Sections 87 and 88 Cr.P.C against the respondents No.13&14 and other absconding accused.

2. In Crl. Misc. Application No.S-223 of 2020, applicants seek suspension of operation of letters No. DIGP/Legal/2909-14 dated 13.05.2020, LB/1992 dated 12.05.2020 and SKR/440/2020, dated 07.05.2020, and other letters, whereby on the direction of IGP, Sindh Karachi vide letter dated 12.05.2020, the DIG, Police Sukkur Range has constituted a Committee for arrest of absconding accused persons of both parties and their production before learned trial Court.

3. In the captioned matters, the issue involved is in respect of arrest of absconding accused. Admittedly, series of cross cases are pending against both the parties before learned trial Courts, in which some of the accused are at large, for which N.B.Ws are being issued by the learned trial Court, but since the N.B.Ws were/are not being executed by the police, therefore, the DIG Police, Sukkur Range in compliance of letter dated 12.05.2020, issued by IGP, Sindh Karachi, constituted a Committee vide letter dated 13.05.2020 regarding execution of NBWs for arrest of absconding accused persons and their production before the learned trial Court, but admittedly no hectic efforts have been made by the Committee for the arrest and production of absconding accused before learned trial Court, who are still at large.

4. In view of the above, the Committee constituted by the DIG, Police Sukkur Range is directed to take hectic / professional efforts for the arrest of absconding accused of both the parties and their production before learned trial Courts. The Committee is also directed to publish the names of absconding accused of both the parties in three newspapers i.e. Daily Kawish, Daily Jang and Daily Dawn in order to

procure their attendance before the Court of law. The Committee is further directed to ensure that the national identity cards of all such absconders of both the parties are blocked and their bank accounts frozen at the earliest under compliance report to this Court through Additional Registrar of this Court. The trial Court(s) being under obligations are also directed to complete the process of 87/88 Cr.P.C against the absconding accused within strict meaning, purpose and object of the said provisions, under compliance report to this Court through Additional Registrar. Let copy of this order be provided to learned Additional A.G and Additional P.G for compliance.

Accordingly, both matters stand dispose of in the above manner.

J U D G E

Ahmad