

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD.
Cr. Misc. Appln. No.S- 434 of 2020

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on office objection
2. For hearing of main case.

10.03.2021.

Applicant present in person.
Mr. Shahzado Saleem Nahiyoona, D.P.G.

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The applicant by way of instant Criminal Misc. Application has impugned order dated 17.05.2018 whereby a Direct Complaint filed u/s 3&4 of the Illegal Dispossession Act, 2005 was brought on record by learned 2nd Additional Sessions Judge, Badin.

2. It is contended by the applicant that no case of illegal dispossession of the private respondent has taken place therefore, learned trial Court ought not to have brought the Direct Complaint on record by way of impugned order, same being illegal is liable to be set-aside.

3. Learned D.P.G for the State by supporting the impugned order has sought for dismissal of instant Criminal Misc. Application.

4. I have considered the above arguments and perused the record.

5. The Direct Complaint filed against the applicant has been brought on record after requisite inquiry. Inquiry and trial are two different things. In inquiry one has to make out a case for cognizance. In trial one has to prove his case beyond shadow of doubt. If, the applicant is having a feeling that he being innocent has been involved

in a Direct Complaint falsely then he could prove his innocence by joining the trial. No illegality is pointed out, which may justify this Court to make interference with the impugned order. Consequently, instant Criminal Misc. Application is dismissed.

JUDGE

Ahmed/Pa