

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD.
Cr. Misc. Appln. No.S- 317 of 2020

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

15.03.2021.

Mr. Mashooque Ali Bhurri, advocate for applicant.
Ms. Safa Hisbani, A.P.G for the State.

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It is contended by learned counsel for the applicant that the proposed accused by way of maltreatment have attempted to dispossess the applicant from the land in his possession, which was constituting a cognizable offence, yet learned Ex-officio Justice of Peace/Sessions Judge, Badin has declined to issue direction to police to record FIR of the applicant by way of impugned order, same being illegal is liable to be set-aside by this court by way of instant Criminal Misc. Application u/s 561-A Cr.P.C.

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

I have considered the above argument and perused the record.

The parties admittedly are disputed over the possession of landed property. Perhaps, in that context, learned Ex-officio Justice of Peace/Sessions Judge, Badin has declined to issue direction to police record FIR of the applicant by way of impugned order, which is not calling for any interference by this Court by way of instant Criminal Misc. Application, it is dismissed accordingly with an advise to the applicant to have a recourse u/s 200 Cr.P.C.

JUDGE