

ORDER SHEET
IN THE HIGH COURT OF SINDH CIRCUIT COURT
HYDERABAD

Criminal Miscellaneous Application No.S-795 of 2021

DATE	ORDER WITH SIGNATURE OF JUDGE
	<ol style="list-style-type: none">1. For orders on office objections.2. For orders on MA No.12971/2021.3. For hearing of main case.

11.04.2022

Mr. Shankar Menghwar, Advocate holding brief for learned counsel for the applicant.

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It is the case of the applicant that proposed accused offered surety by producing document of ownership of plot, same on verification, was found to be false, therefore, he by way of filing an application under section 22-A (6) (i) Cr.P.C sought for direction against the police to record his F.I.R for the above said incident, it was dismissed by learned IInd Additional Sessions Judge/Ex-Officio Justice of Peace, Hyderabad vide his order dated 21.10.2021 which is impugned by the applicant before this Court by way of instant application u/s: 561-A Cr.P.C.

If for the sake of arguments it is believed that the document of ownership of plot furnished by proposed accused was found to be fake and was used by him as genuine even then no F.I.R for such offence could be ordered to be recorded for the reason that such offence is non-cognizable in its nature and is subject to proceedings under section 195 Cr.P.C. In these circumstances, Ex-Officio Justice of Peace has committed no wrong by dismissing the application of the applicant by way of impugned order which may justify this Court to make interference with it; consequently the instant criminal miscellaneous application being misconceived is dismissed in *limine*.

JUDGE