

ORDER SHEET

IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR

Cr. Misc. Application No. S – 548 of 2020

Date

Order with Signature of Hon'ble Judge

Disposed of matter

For hearing of MA No.7703/2020 (Recall-Review)

18.12.2020

Mr. Arif Ali Abbasi Advocate for Applicant
Mr. Khalil Ahmed Maitlo, DPG for the State

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Through listed application, the applicant / SIP Naveed Ahmed Shaikh, the then SHO Police Station Patni, District Sukkur, is seeking review / recalling of the order dated 26.10.2020 passed by this Court, whereby on failure to produce the alleged detainees before this Court, the SSP Sukkur was directed to remove the applicant/SHO from the field posting till further orders.

Learned counsel for the applicant submits that the applicant is a responsible police officer and he always performed his duties honestly, diligently and he had endeavoured his best to recover the alleged detainee Mst. Babra along with her three daughters but due to narrow space of time, he could not recover and produce them before this Court, as a result whereof such order was passed regarding his removal from the field posting as Station House Officer. He further contends that if such space of time had been given to the applicant, he must have complied-with the directives of this Court. He further contends that thereafter the detainees were produced before this Court by the Police and after recording the statement of detainee Mst. Babra, she was set at liberty and the matter was disposed of vide order dated 16.11.2020. He lastly contends that the applicant threw himself at the mercy of this Court be and prays for pardon and recalling the order dated 26.10.2020.

Learned DPG for the State conceded to the above position by contending that the alleged detainees were produced before this Court by the police and they were set at liberty and matter was disposed of, therefore, no purpose will be served if the order dated 26.10.2020 remains intact.

Admittedly, the alleged detainees have been produced by the SDPO Site Sukkur before this Court on 16.11.2020 and after recording the statement of detainee Mst. Babra, she was set at liberty and the matter was disposed of on the aforesaid date. Accordingly, the order dated 26.10.2020 to the extent of removing the applicant SIP Naveed Ahmed Shaikh from the field posting is hereby recalled. Consequently, the listed application is allowed.

Judge

ARBROHI