

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
Cr. Misc. Appln No. 45 of 2020

| Date | Order with signature of Judge |
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1. For orders on office objections
2. For hearing of main case.
3. For hearing of M.A. No.854/2020
4. For hearing of M.A. No.855/2020

12.11.2021

Mr. Abbadul Hasnain, advocate for the applicant
Mr. Zakir Leghari, advocate for respondent No.1
Mr. Fahim Ahmed Panhwar, DPG

Perusal of record shows that a direct complaint was filed by the complainant against the applicant with the allegations that the applicant had put imputation of zina upon her to harm her reputation hence cognizance was taken by the learned trial Court. During proceedings the complainant had filed an application under section 265-K Cr.P.C which was dismissed by the Illrd learned Additional District & Sessions Judge, Karachi (East) vide order dated 27.11.2019, which has been assailed in the instant Criminal Miscellaneous Application.

As per office objections, the jurisdiction with regard to the matters under Qazaf Ordinance, 1979 does not fall within the ambit of this Court and such jurisdiction lies with the Federal Shariat Court, which legal proposition was not disputed by all the learned Counsels present in Court.

It is an admitted position that the case in hand also pertains to Qazaf Ordinance, 1979 as such the provisions of Article 203-DD of the Constitution of Islamic Republic of Pakistan, 1973 attracted which barred the jurisdiction of this Court in the matter as well.

In view of the above legal proposition, office is directed to send this criminal miscellaneous application along with record, after

retaining photocopies thereof, to the learned Federal Shariat for adjudication according to law.

JUDGE