

**ORDER SHEET**

IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR

**Cr. Misc. Appln. No. S – 874 of 2019**

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Date

Order with Signature of Hon'ble Judge

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**Fresh case**

1. For orders on MA No.6533/2019 (Ex.A)
2. For hearing of main case

**27.01.2020**

Mr. Aftab Ahmed Shar, Additional PG for the State

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Through instant Criminal Miscellaneous Application, the applicant has impugned the order dated 24.09.2019, whereby the application under Section 22-A and 22-B Cr.P.C filed by the present applicant was dismissed, leaving the applicant to avail his remedy by way of filing the direct complaint.

2. Learned Additional PG supported the impugned order and as such prayed for dismissal of the instant Criminal Miscellaneous Application.

3. I have heard the learned Additional PG for the State and have gone through the material available on record as well as the impugned order passed by learned Additional Sessions Judge / Ex-Officio Justice of Peace, Pano Akil. Admittedly the story as narrated in the memo of Criminal Miscellaneous Application that four muffled faces entered into his house and quarreled with his house inmates and told that why they have filed cases against them and then made fire which hit his daughter namely Mst. Hadeesa, as such the proposed accused have committed a cognizable offence. The learned Additional Sessions Judge / Ex-Officio Justice of Peace while dismissing the application of the applicant has given appropriate reason by providing an opportunity to the applicant to avail his remedy by filing direct complaint. In such circumstances, the impugned order is well-reasoned and speaking one, therefore, does not

call for any interference by this Court, the same is upheld. Consequently, the instant Criminal Miscellaneous Application is dismissed. However, the applicant is at liberty to avail his remedy by way of filing direct complaint of the incident, before the competent Court of law, having jurisdiction, if so advised.

Judge

ARBROH!