

**IN THE HIGH COURT OF SINDH,
CIRCUIT COURT, HYDERABAD**

C.P. No. 5- 500 of 2022

Muhammad Siddique ----- Petitioner

VERSUS

Province of Sindh
& others ----- Respondents

Date of hearing: 22.08.2022

Date of decision: 22.08.2022

Mr. Waqar Ali G. Zaur, Advocate for Petitioner
Mr. Allah Bachayo Soomro, Addl.A.G.

ORDER

ADNAN-UL-KARIM MEMON, J.- Through instant petition, the petitioner has prayed as under:-

- a. That this Honourable Court may kindly be pleased to set aside the order dated 25.5.2022 passed in Cr. Misc. Appl. No. 378 of 2022 passed by Additional Sessions Judge, Matiari;
- b. Direct the respondents 4 to 11 stop causing undue and unjustified harassment to the petitioner and his family members.
- c. That, this Honourable Court may kindly be pleased to direct the respondents 2 to 3 to provide legal protection to the petitioners and his family members from the high hands of the respondents 4 to 11 and his family members, well wishers and friends etc.
- d. Direct the respondents 2 to 5 to take action against the illegal activities of the respondents 6 to 11 and others who have made the lives of the petitioner very miserable;
- e. Direct the respondents 2 to 5 not to register any false and fabricated FIR against the petitioner without prior permission of this Honorable Court at the instigation of respondents 6 to 11.
- f. That this Honourable Court may further be pleased to obtain an undertaking from the respondents 6 to 11 and bound them to maintain the peace, as well Ambreen Siyal not to cause any sort of harassment to the petitioner and petitioner and his family members.

2. Mr. Waqar Ali G. Zaur learned counsel for the petitioner has submitted that petitioner is landlord and owns agricultural land in Deh Oderolal Taluka and district Matiari, whereas the private respondents have evil eyes upon the lands of petitioner for which they are harassing him to leave the land or withdraw from the ownership; that on 20.4.2022 respondents 6 to 9 beaten the son of petitioner and his other inmates and

caused them injuries and also kidnapped the son of petitioner; therefore, the petitioner filed an application under Section 22-A & B. Cr.P.C. During pendency of said application on the intervention of nekmarks the son of petitioner was released, hence he withdrawn the said application; that in the said faisla it was decided that the agricultural land of the petitioner will be partitioned before Revenue Forum, as such the petitioner approached private respondents 6 to 9 to resolve his grievance; that meanwhile respondent No.11 who is very influential person intervened and he along with official respondents is issuing threats of implication in false cases as well as threats of dire consequences which has caused the life of the petitioner miserable, hence he has filed the instant petition with the above prayer.

3. Primarily, the dispute has been alleged between private parties concerning obligations arising out of contracts or breach of legal or moral duties; and in this background, it has been alleged that the private parties at fault are harassing the petitioners either themselves and/or with the help of police officials and instead of taking action against the wrongdoers, the police is supporting them.

3. Petitioner alleging harassment against police officials, at this stage, learned AAG has submitted that police shall ensure no harassment is caused to the petitioner, learned counsel is satisfied with the statement of learned AAG and seeks disposal of the instant petition in terms thereof.

4. In view of the above by consent this petition is disposed of with the understanding that police officers shall be neutral if there arises any dispute between the private parties and shall act under the law.

JUDGE