

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

Criminal Miscellaneous Application No.S- 117 of 2022

DATE	ORDER WITH SIGNATURE OF JUDGE
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27.04.2023.

Mr. Fakhurdin Dehraj, Advocate for applicant.
Mr. Shaukat Ali Kaka, Advocate for respondent No.6.
Mr. Ayaz Ali Rajper, Assistant A.G.
Mr. Imran Ali Abbasi, A.P.G for State alongwith SIP Abdul Hussain Zardari SHO PS Piraro Lund and SHO PS Tando Jam.

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Munawar Hussain (minor boy) is present alongwith his family members, that is applicant (father) and mother. On a specific query the alleged detainee Munawar Hussain stated that he has come to Court with his father, but 6/7 months back was illegally detained by private respondents, which is denied by the counsel for private respondents.

Learned A.P.G states that similar version was given by the brother of present Applicant about his son as well who was later found to be within the vicinity of his resident. This fact has been mentioned in detail in the last order. Apparently, this Criminal Miscellaneous Application is filed with mala fide and as a counter blast to the dispute with private Respondents. Petition is filed with supporting affidavit and looking at the undisputed official record, one course would be to dismiss this petition with an observation to lodge FIR against the Applicant for committing perjury, besides, he has also abused the process of the Court. Learned counsel for the Petitioner has requested to take a lenient view as Applicant and his family are poor persons.

The above situation tells the present state of the affairs of our Society and declining moral standards. It is difficult to ascertain whether the system is exploited by the influentials only, or 'the under privileged' also. Usually in such type of habeas corpus petitions, indulgence is granted to the applicant who comes before the Court as an ordinary citizen against some influential person

or the State functionaries; but in the present case situation is quite inverse. Consequently, this Criminal Miscellaneous Application is dismissed with a cost of Rs.5,000/- (Rupees five thousand) payable in the account of High Court Bar Library of this Court within two (02) weeks.

JUDGE

Tufail