

ORDER SHEET
IN THE HIGH COURT OF SINDH BENCH AT SUKKUR
Crl. Misc. Application No. S-220 of 2023
(Liaquat Ali Mahad & others Vs. SHO PS Khambra & others.)

DATE OF HEARING	ORDER WITH SIGNATURE OF JUDGE
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1. For Orders on office objection.
2. For hearing of main case.
3. For hearing of MA No. 2007/2023 (Stay/A)

18-10-2023.

Mr. Shabbir Ali Bozdar advocate for the applicants.
 Mr. Muhammad Aslam Gadani, advocate for the complainant.
 Syed Sardar Ali Shah Rizvi, Additional P.G for the State.

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1. Over ruled.

2 & 3. The facts in brief for disposal of instant Crl. Misc. Application are that the private respondent alleging death of baby Zainab at the hands of the applicants by making an application sought for direction for recording her FIR, which was issued by learned IInd Additional Sessions/Ex-Officio Justice of Peace, Mirpur Mathelo, vide order dated 30-03-2023, which the applicants have impugned before this Court by making instant Crl. Misc. Application.

It is contended by learned counsel for the applicants that the family member of the private respondents are having the criminal record and they in order to create harassment are involving the applicants in false case through the private respondents as they may not discharge their lawful duty against them being police officials. By contending so he sought for setting aside of impugned order, which is opposed by learned APG for the State and learned counsel for the private respondents by supporting the impugned order.

Heard arguments and perused the record.

The family members of the private respondents might be having a criminal record, but such fact alone is not appearing to be enough to prevent registration of FIR of a murder case. No illegality is apparent, which may justify this Court to make interference with the impugned order by way of instant Crl. Misc. Application; it is dismissed accordingly together with listed application directing the applicants to prove their innocence by joining the investigation on registration of formal FIR against them, if so advised.

J U D G E

Nasim/P.A