

ORDER SHEET
IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR
Crl. Revision Application No. S-58 of 2023
(*Mst. Shamshad Ujjan Vs. The State*)

1. For Orders on office objection.
2. For Orders on MA No. 4625/2023.
3. For hearing of main case.

12-12-2023.

Mr. Manzoor Hussain Larik, advocate for the applicant.

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1. Over ruled.
2. Granted.
3. The facts in brief necessary for disposal of instant Crl. Revision Application are that one Muhammad Hayat was killed and an FIR with regard to his murder was lodged by his brother Muhammad Yaqoob with PS Gambat in year 2016. Subsequently, the applicant claiming to be the wife of the said deceased on dismissal of her application under section 22 A/B Cr.P.C filed a direct complaint for the same incident, it was dismissed by learned Additional Sessions Judge, Gambat vide order dated 08-06-2023, which is impugned by the applicant before this Court.

It is contended by learned counsel for the applicant that the applicant being widow of the deceased has legitimate right to advance her cause; therefore, learned trial Court ought not to have dismissed her complaint by way of impugned order, which is liable to be set aside by this Court.

Heard arguments and perused the record.

Admittedly, the complaint is a substitute of an FIR. The FIR of the incident has already been lodged in year 2016 and cognizance of such incident has already been taken by the Court having jurisdiction; therefore, cognizance of the same incident on direct complaint filed by the applicant in year 2023 with delay of about seven years would be unjustified. If such practice is allowed to continue then there would be no end to litigation. No illegality is noticed in impugned order, which may justify this Court to make interference with the same.

Instant Crl. Revision Application is dismissed in limine.

J U D G E