

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Crl. Misc. Appl. No.152 of 2024
(*Abdullah el Muttaq and 03 others v. The State and others*)

Date	Order with signature of Judge
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For hearing of main case

09.05.2024

Mr. Rashid Mureed, advocate for the applicant
Ms. Amina Ansari, Asstt. PG for the State
Private respondent in person

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Based on the allegation of negligent death of her husband Ali Muhammad at the hands of the applicants, the private respondent by making an application u/s 22-A/B Cr.PC sought direction against the police to record her FIR; it was issued accordingly by learned VIIth-Additional Sessions Judge/MCTC-II/Ex-Officio Justice of Peace, Karachi, Central, vide order dated 01.02.2024, which is impugned by the applicants before this Court by way of instant Crl. Misc. Application u/s 561-A Cr . PC.

It is contended by learned counsel for the applicants that their clinic has already been penalized by the Sindh Healthcare Commission and such aspect of the case has been lost sight of by learned Ex-Officio Justice of Peace by directing the police to record the statement of the private respondent for purpose of FIR by way of the impugned order, which is liable to be set aside by this court as none could be subjected to the same liability for more than one time.

Learned Addl. PG for State who is assisted by the private respondent have sought for dismissal of the instant Crl. Misc. Application by contending that the FIR (Crime No.91/2024 u/s 322 PPC) has already been lodged with PS Shahrah-e-Noor Jahan.

Heard arguments and perused the record.

The order impugned has already been complied with by the police by recording an FIR of the incident as such nothing is left to be examined by this Court. If the applicants have a feeling that they are innocent and have been involved in a false case, then they may prove their innocence by joining the investigation. No further order by this Court is called for on instant Crl. Misc. Application; it is dismissed accordingly.

J U D G E

Nadir*