

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Crl. Misc. Appl. No.02 of 2023
(Mst. Bisma Noreen/Ameer Jahan v. The State and others)

Date	Order with signature of Judge
------	-------------------------------

1. For orders on MA No.72/2023
2. For hearing of main case

27.05.2024

Applicant in person
Ms. Rubina Qadir, Deputy Prosecutor General for the State

=====

It is contended by the applicant that the proposed accused attempted to tear her clothes, outraging her modesty and take away her cell phone when she was going to expose their highhandedness before the Court of law. Based on such an allegation, she by making an application u/s 22-A/B Cr.PC sought the direction against SHO PS Preedy to record her FIR; it was dismissed by learned Xth- Additional Sessions Judge / Ex-Officio Justice of Peace Karachi South vide order dated 27.08.2022, therefore, same being illegal to be set aside by this Court with direction to the said SHO to record her FIR.

Learned Deputy Prosecutor General for the State by supporting the impugned order has sought dismissal of the instant Crl. Misc. Application by contending that no incident as alleged by the applicant has taken place and she intends to involve innocent persons in false case with ulterior motives.

Heard arguments and perused the record.

As per the impugned order, the FIR of the subject incident has already been recorded and a version of the applicant has also been taken in such FIR by the Investigating Officer. No second FIR could legally be directed to be recorded for the same incident. If the applicant has a feeling that the incident alleged by her is different to the one for which the FIR has already been recorded then she has an alternate remedy to exhaust by filing a complaint of the alleged incident u/s 200 Cr.PC before the Court having jurisdiction; such remedy if exhausted by her besides being alternate would be adequate in the circumstance of the case for the reason that much of the time has passed in between. No illegality even otherwise is noticed in the impugned order which may justify this Court to interfere with the same.

Consequent to the above discussion, the instant Crl. Misc. Application is dismissed accordingly.

J U D G E

Nadir*