

# IN THE HIGH COURT OF SINDH CIRCUIT COURT MIRPURKHAS

Criminal Miscellaneous Application No.S-422 of 2024

*"Chehoo vs. The State and others"*

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DATE	ORDER WITH SIGNATURE OF JUDGE
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Applicant:	Chehno son of Bhooro, Through Mr. Shah Nawaz Ali Laghari, advocate.
Private Respondents:	Through Mr. Zaheeruddin Nohri, advocate
State:	Through Mr. Dhani Bux Mari, A.P.G Sindh.

Date of hearing & Order: 29.08.2024.

## ORDER

*Adnan-ul-Karim Memon, J.* The applicant Chehno has assailed the legality of the order dated 05.04.2024 passed by learned Judicial Magistrate Mithi in incidental death report No.02/2023 under section 174 Cr. P.C of PS Islamkot whereby the learned Magistrate accepted the report and disposed of the case on the premise that per post-mortem report of dead body of the deceased shows no mark of violence coupled with the statement of PWs which shows that the death of deceased Bhooro occurred due to suicidal hanging.

After arguing the matter at some length, both the parties agreed to the disposal of the instant Criminal Miscellaneous application in terms that the applicant will file afresh Direct Complaint before the learned Magistrate concerned and if he makes out his case of a cognizable offense, the Magistrate will take cognizance and record his statement as well as his witnesses and then decide the fate of the case under law within one month.

The proposal seems to be reasonable is acceded to. Let the complainant take resort of section 200 Cr. P.C by filing the Direct Complaint, if so advised; and, upon filing the complaint same shall be decided under law.

In view of the above instant Criminal Miscellaneous application stands disposed of.

JUDGE