

ORDER SHEET  
IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

**Crl.Misc.Appln.No. S – 111 of 2023.**

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Date	Order with signature of Judge
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For Hearing of main case.

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**22-01-2024.**

Mr.Mehfooz Ahmed Awan Advocate for applicants.

Mr.Wajid Ali Shaikh Advocate for respondent No.3.

Mr.Sardar Ali Shah Addl.P.G.

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**ZULIFQUAR ALI SANGI, J-** Through this miscellaneous application, applicants have assailed the order dated 15.09.2023 passed by the learned IInd Additional Sessions Judge, Sukkur passed in Crl.Misc.Application No. 272 of 2023 whereby certain directions were issued to the respondent No.2/SHO P.S New Pind, Sukkur to reduce the information given by the respondent No. 3/Abdul Malik in writing and if cognizable offence is made out, the same be entered into 154, Cr.P.C book.

2. Heard arguments of the learned counsel for the parties and perused the material available on record.

3. The perusal of the impugned order reflects that learned Justice of Peace allowed the application filed by the respondent No.3 under section 22-A(i) & 22-B, Cr.P.C by assigning valid reasons. For the sake of convenience, operative part of the impugned order is reproduced as under:-

“Perusal of record shows that the applicant alongwith present application has filed a letter issued by Police of P.S Newpind for injured Muhammad Abid S/o Abdul Malik showing to have received injuries in the alleged offence shown by him in the present application and he has also filed MLC issued by M.L.O GMMMC Hospital Sukkur and reports of Agha Khan

University Hospital Karachi. Since complaint in shape of above application is made by the applicant before this Court alleging therein that concerned SHO is not lodging his FIR though the SHO is legally bound to register the FIR but he refused to register the same, therefore SHO of concerned police station is directed to reduce the information given by the applicant in writing and if cognizable offence is made out the same be entered into 154 Cr.P.C book. However, the I.O is directed not to arrest the proposed accused persons till tangible evidence come on record”.

4. After going through the impugned order, it reveals that the learned Justice of Peace has discussed each and every aspect of the case while passing the impugned order and no illegality or infirmity has been committed by the learned Justice of Peace, therefore the same does not call for any interference by this Court. In these circumstances, while maintaining the impugned order the application filed by the applicants (Criminal Miscellaneous Application No. S – 111 of 2023) is hereby dismissed.

JUDGE

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