

**ORDER SHEET**

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

**Crl. Misc. Application S-878 of 2023**

*(Syed Nadir Ali Shah Vs. The State and others)*

DATE OF HEARING	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on Office objection.
2. For Orders on MA No. 7363/2023 (Ex./A)
3. For hearing of main case.

**15-04-2024.**

Mr. A.R Faruq Pirzada, advocate for the applicant.  
Ms. Shabana Naheed, Assistant Prosecutor General, Sindh.

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1. Over ruled.
2. Granted subject to all just legal exceptions.
3. The facts in brief necessary for disposal of instant Crl. Misc. Application are that an application u/s 22 A/B Cr.P.C was filed by the applicant seeking protection from harassment and interference with his landed property by private respondents through official respondents, it was allowed by learned IInd Additional Sessions Judge/Ex-Officio Justice of Peace Khairpur vide order dated 18-01-2023 directing the official respondents to provide protection to the applicant from harassment of the private respondents as alleged. The applicant carrying a feeling that he has not been provided protection in terms of order so passed, filed an application for initiating contempt proceedings against Muhammad Bachal Qazi SHO PS Shaheed Murtaza Mirani Khairpur, it was dismissed by learned Ex-Officio Justice of Peace Khairpur vide order dated

04-11-2023, which is impugned by the applicant before this Court by way of instant CrI. Misc. Application u/s 561-A Cr.P.C.

It is contended by learned counsel for the applicant that on account of failure to provide protection to the applicant, the alleged contemnor has made him liable for prosecution under contempt proceedings; therefore, learned Ex-Officio Justice of Peace ought not to have dismissed his application by way of impugned order, same being illegal is liable to be examined by this Court.

Learned Assistant Prosecutor General has sought for dismissal of the instant CrI. Misc. Application by contending that it is misconceived.

Heard arguments and perused the record.

Apparently the applicant is disputed with private respondents over landed property and such dispute; he is attempting to get resolve by making an allegation of harassment against the private respondents. Obviously in-order to create pressure against the private respondents, he has attempted to get initiate contempt proceedings against the official respondent without lawful justification. In these premises learned Ex-Officio Justice of Peace was right to dismiss the application of the applicant by way of impugned order, which is not found illegal to be interfered with by this Court.

In view of above, the instant CrI. Misc. Application is dismissed.

**Judge**