

ORDER SHEET

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

Criminal Misc. Application No.S-164 of 2024

DATE OF HEARING	ORDER WITH SIGNATURE OF JUDGE
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1. For Orders on MA No. 1577/2024 U/A.
2. For Orders on office objection.
3. For Orders on MA No. 1578/2024 (Ex./A)
4. For hearing of main case.

16-04-2024.

Miss Sumbal Urooj Mughal, advocate for the applicant.

1. Granted.
2. Over ruled.
3. Granted subject to all just legal exceptions.
4. It is alleged by the applicant that the proposed accused have encroached upon her plot. On the basis of such allegation, she filed an application u/s 22 A/B Cr.P.C seeking direction against the police to record her FIR, it was dismissed by learned IIIrd Additional Sessions Judge/Ex-Officio Justice of Peace, Sukkur vide order dated 21-03-2024, which is impugned by the applicant before this Court by preferring the instant CrI. Misc. Application u/s 561-A Cr.P.C.

It is contended by the applicant that the cognizable offence has taken place; therefore learned Ex-Officio Justice of Peace ought not to have dismissed her application by way of impugned order, same being illegal is to be examined by this Court.

Heard arguments and perused the record.

As per police report there is dispute between the parties over the subject plot and such litigation is pending adjudication before the Civil Court having jurisdiction. Probably on the basis of such report, learned Ex-Officio Justice of Peace has dismissed the application of the applicant by way of impugned order, which is not found illegal to be interfered with by this Court by way of instant CrI. Misc. Application, it is dismissed in

limine directing the applicant to have a recourse u/s 200 Cr.P.C, if so is advised to her.

J U D G E

Nasim/P.A