

**IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR**

**Cr. Revision No. D – 02 of 2024**

*(Mukhtiar Ahmed Chachar vs. Boohar & others)*

**Present:-**

Mr. Muhammad Iqbal Kalhoro, J

Mr. Arbab Ali Hakro, J

**Date of hearing & Decision :**      **25.04.2024**

Mr. Muhammad Nasir Malik, Advocate for the Applicant  
Syed Sardar Ali Shah Rizvi, Additional PG for the State

**ORDER**

**Muhammad Iqbal Kalhoro, J**;- This criminal revision application has been filed against the impugned order dated 10.01.2024 passed on an application filed by complainant U/s 227 CrPC, seeking amendment in the charge adding Sections 295-C and 298-A PPC therein. This application was filed by the complainant after recording evidence of witnesses, wherein allegedly, they have stated that accused have, during a commotion, defiled name of Allah, Muhammad (peace be upon him) and Panjtan Pak, which attract Sections 295-C and 298-A PPC.

2. FIR was registered on 12.07.2023 against as many as 40 persons, out of whom 17 have been named by the complainant. He has stated that he was holding a *Majlis near Darbar Pir Zorawar Shah* when those accused stormed the place and injured his relatives, namely, Fida Hussain and Kabeer after damaging the articles available there. All the accused are caste-fellows of the complainant and residing in the same village.

3. In the FIR, complainant has not mentioned any of the allegations attracting *prima facie* Sections 295-C or 298-A PPC. In evidence, he has improved the case, the effect of which cannot be gauged before culmination of the case and judgment. The allegations against the accused which are not mentioned in FIR and if are subsequently adduced by the complainant and his witnesses would not mean that such evidence would attract relevant penal provisions beyond what is contained in FIR and duly investigated by the IO; until and unless some tangible proof is placed before the Court supported by the reasons regarding omission thereof at the time of FIR, and not before the evidentiary value of which is evaluated by the trial Court before proceeding to amend the charge. Improvements made in the evidence or such facts narrated, that are other than the ones disclosed in FIR, on the contrary would put a serious question over veracity of actual FIR story.

4. *Prima facie*, it appears that complainant has made a crude attempt to convert a simple case of a quarrel between him and his relatives look a sectarian one with an apparent aim to attract stringent penal provisions concerning blasphemy. The trial Court has dealt with the application in correct context and has dismissed the same on cogent grounds. No case for interference is, therefore, made out, and instant criminal revision application is dismissed.

Judge

Judge

ARBROHI