

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

Crl. Rev. Application No.181 of 2023
(Ghulam Rasool v. The State and 02 others)

Date	Order with signature of Judge
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1. For hearing of main case
2. For hearing of MA No.10797/2023

03.05.2024

Mr. Riaz Ahmed Bhatti, advocate for the applicant

Mr. Rubina Qadir, DPG for the State

Private respondent in person

The applicant by way of the instant revision application has impugned the order dated 21.10.2023 passed by learned Xth-Additonal Sessions Judge Karachi East, whereby he on application under Section 540 Cr. PC moved by complainant Hafiz Muhammad Amjad has called Kamran and Nadeem Ahmed to be examined as witnesses of his case.

It is contended by learned counsel for the applicant that the witnesses who are sought to be examined have nothing to do with the subject case, therefore, their examination would delay the early disposal of the case. By contending so, he sought to set aside the impugned order.

Learned DPG for the State who is assisted by the complainant has sought for dismissal of the revision application by contending that the witnesses sought to be examined have already been examined, which is refuted by learned counsel for the applicant.

Heard arguments and perused the record.

If it is believed the witnesses who have been called to be examined have not been examined yet Section 540 Cr.PC provides ample power to the

trial Court to call any person to be examined as a witness though not summoned as a witness; if it appears that his examination is essential for a just decision of the case. The persons sought to be examined obviously would help the learned trial Court to arrive at the right conclusion. No illegality thus has been committed by the learned trial Court while passing the impugned order which may justify this Court to interfere with the same.

Under the given circumstances, the instant revision application is dismissed.

JUDGE