

ORDER SHEET
IN THE HIGH COURT OF SINDH KARACHI
Criminal Revision Application No.185 of 2024
(Syed Mazhar Hussain Gillani v. Mst. Shagufta Rizwan and another)

DATE: ORDER WITH SIGNATURE OF THE JUDGE

1. For orders on MA No.14170 of 2024
 2. For orders on office objection & reply of Adv at flag A
 3. For orders on MA No.14171/2024
 4. For hearing of main case
 5. For orders on MA No.14172/2024
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21.10.2024

Mr. Zahoor Ahmed Chadhar, advocate for the applicant

1. Urgency granted.
2. Overruled.
3. Granted subject to all just exceptions.
- 4-5. The facts, in brief, necessary for the disposal of the instant revision application are that a complaint under the provisions of the Illegal Dispossession Act was filed by the private respondent; it was brought on record by learned IVth Additional Session Judge Malir Karachi vide order dated 11.09.2024, which is impugned by the applicant before this Court by preferring instant revision application.

It is contended by learned counsel for the applicant that no incident as alleged by the private respondent has taken place and such aspect of the case has been lost of sight by the learned trial Court while taking cognizance of the offence by way of the impugned order; same being illegal is to be examined by this Court.

Heard arguments and perused the record.

The burden to make out a case for trial is light; the same could not be equated with a burden to prove the case at trial. The private respondent on preliminary inquiry has been able to make out a case for trial. If the applicant is carrying a feeling that he is innocent and has been involved in the false case by the private respondent then he can prove his innocence by joining the trial. No illegality even otherwise is noticed in the impugned order which may justify this Court to interfere with the same by way of the instant revision application; it is dismissed in limine.

JUDGE