

ORDER SHEET
THE HIGH COURT OF SINDH AT KARACHI
CP.No.D-2230 of 2024

Date: Order with signature(s) of the Judge(s)

*Present: Mr. Justice Salahuddin Panhwar,
Mr. Justice Adnan-ul-Karim Memon*

1. For orders on office objection.
2. For hearing of main case.

07th November 2024

Mr. Sarmad Qurban Jiskani, advocate for petitioner.
Mr. Hakim Ali Shaikh, AAG.
Mr. Altaf A. Sehar, DAG.
M/s. Munawar Ali and Abdul Rehman, advocates for
Applicant/Intervener.
SP Malir Saeed Rind, P.I. Nawaz, SDI Malir City.
SP/AIGP Legal Mushtaq Ahmed Abbasi.

Salahuddin Panhwar, J:- To decide the controversy of this petition, it would be conducive to refer to the order dated 31.10.2024, which states as follows:

“Petitioner contends that one Habib-ur-Rehman was counsel of alleged abductee and thereafter Habib-ur-Rehman, advocate registered three FIRs No. 78/2024 PS Malir City, FIR No. 133/2023, PS Civil Line and FIR No. 612/2024, PS Malir City against the alleged abductee. It is strange that a Counsel lodged FIR against his client, hence, proceedings of all three above FIRs are hereby stayed. Issue notice to the complainant. Investigating Officer(s) shall be in attendance, on the next date of hearing, without fail. Besides, Additional I.G Karachi shall depute any honest and reputable officer not below than the rank of DSP, who shall investigate the above referred FIRs and submit report. SP Malir shall produce detenue, on the next date of hearing. In case of failure, he shall appear in person along with explanation.

At this juncture, learned AAG contends that this is a tendency and there are series of FIRs lodged by the advocates against their clients and others even on petty matters. Accordingly, Inspector General of Police Sindh shall submit

complete report with regard to FIRs lodged by the advocates against their clients and third persons in this year and disposal thereof including the details."

Adjourned to 07.11.2024."

2. Pursuant to that order, AIGP Legal has submitted a report showing therein the chart of FIRs lodged by advocates from 01st January 2024 to 31st October 2024. Being relevant, the same is reproduced herewith:-

"REPORT OF FIRs LODGED BY THE ADVOCATES / LAWYERS AGAINST (A) THEIR CLIENTS (B) THIRD PERSONS (C) POLICE OFFICIALS FROM 01.01.2024 TO 31.10.2024

S.No	District	Against Their Clients	Against Third Persons	Against Police Officials	Total
1	CIA	-	-	-	-
2	CTD	-	-	-	-
3	East	3	73	1	77
4	Malir	3	106	2	111
5	Korangi	2	31	1	34
6	West	-	8	1	9
7	Central	1	14	-	15
8	South	-	32	-	32
9	City	5	185	4	194
10	Keamari	-	-	-	-
11	Hyderabad	-	26	1	27
12	Dadu	-	1	2	3
13	Thatta	-	6	-	6
14	Badin	-	2	-	2
15	Jamshoro	-	9	-	9
16	Matiari	-	-	-	-
17	T.A. Yar	-	1	-	1
18	T.M. Khan	-	6	-	6
19	Sujawal	-	-	-	-
20	Sukkur	-	6	-	6
21	Ghotki	-	17	1	18
22	Khairpur	-	20	-	20
23	Larkana	-	9	-	9
24	Kamber	-	9	-	9
25	Shikarpur	-	-	-	-
26	Jacobabad	-	2	-	2
27	Kashmore	-	-	-	-
28	Mirpurkhas	-	-	1	1
29	Umerkot	-	2	-	2
30	Tharparkar	-	-	-	-
31	SBA	-	10	-	10
32	Sanghar	-	6	-	6
33	Naushero Feroz	-	-	-	-
	Total	14	581	14	609

3. Upon examining the above-referenced details, it becomes evident that advocates have lodged a total of 609 FIRs, comprising 14 FIRs against their own clients, 14 against police officials, and an overwhelming 581 against third parties. Annexure "B" outlines the current procedural status of these cases; particularly, in a majority of instances, police reports have been filed under "A" and "C" Class categories, while investigations in others FIRs remained pending. This extensive volume of FIRs raises significant concerns, especially given that even members of the legal profession are among the complainants, citing threats of dire consequences, incidents of theft, and cheque dishonor as grounds for registration. A substantial portion of these FIRs involve allegations under Sections 506-B and 489-F of the Pakistan Penal Code. This substantial influx of FIRs suggests a troubling scenario showing smoke on the screen, indicating either a failure of the state to safeguard the legal community or a potential misuse of their professional privileges by these individuals.

4. It is imperative to take immediate steps to address the proliferation of motivated FIRs that are tainted with malice against innocent individuals, while ensuring that genuine FIRs against actual offenders are not hindered. Failure to do so may result in a situation where it becomes too late to rectify the injustices, leading to irreparable harm and a complete breakdown of the rule of law.

5. In light of the foregoing circumstances, this Court is cognizant of the fact that the present matter bears significant implications for the legal profession, particularly concerning the regulation of professional conduct and ethics, which fall within the domain of the Bar Council. Therefore, this matter is hereby referred to the Executive Committee of the Sindh Bar Council with directives to scrutinize the ethical dimensions outlined in the Code of Conduct, specifically regarding the registration of FIRs by advocates against their own clients under various sections of law. The Committee is tasked with investigating any misuse of professional privileges by lawyers throughout the

Sindh region, with particular attention to occurrences in Karachi, to uphold the dignity and integrity of the legal fraternity. Should the Committee identify any instances of malicious or unwarranted FIRs filed against innocent individuals, it is further instructed to initiate appropriate disciplinary actions through the relevant disciplinary committee. This measure aims to safeguard ethical standards and prevent any conduct that may undermine the honor of the legal profession.

6. Additionally, the Inspector General of Police (I.G.P.) Sindh is directed to ensure the maintenance of law and order, guaranteeing equal treatment for all citizens regardless of profession, caste, creed, or community. The I.G.P. Sindh shall further ensure that police officers uphold the decorum of the police force while providing safety and security to all citizens within their jurisdiction, including the Courts. Moreover, the I.G.P. Sindh shall ensure that any FIRs lodged with malicious intent against innocent individuals are thoroughly investigated, while also safeguarding the registration and progression of legitimate FIRs against actual offenders.

7. In view of the reasons stated above, the present petition is hereby disposed of in accordance with these directives.

Office shall send copy of this order to Vice Chairman and Secretary of Sindh Bar Council for compliance.

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