

ORDER SHEET
THE HIGH COURT OF SINDH AT KARACHI

Cr. Misc. Appln No.274 of 2021

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

Fresh Case.

1. For Orders on MA No.4799/2021.
2. For Orders on MA No.4800/2021.
3. For Hearing of Main Case.

03rd June, 2021.

Syed Nadeem Haider Shah advocate for the applicants.

Heard and perused the record. It would be conducive to refer Para 'c' of impugned order, which are that:

[c]. I have heard the learned counsel for the applicants/petitioners, inquiry report submitted by the concerned SHO of PS. Instant application/petition filed by the applicants/petitioners with the prayer that to record their statement in FIR No.671/2020 under Section 302/201/354/34 PPC PS Surjani Town, as accused persons are innocent. It is pertinent to mention here that prior to filing instant application/petition, bail applications of accused persons namely Victor Masih, Ahsan Masih, Farooq Masih, Asma and Victoria Ahsan, dismissed on merit in FIR No.671/2020 PS Surjani Town, by this court. That no such point raised in the bail applications as mentioned in the instant application/petition. Even otherwise investigation in the above referred FIR has been completed and challan has been submitted. That nothing on record or in challan to show that accused persons raised objection to I.O, investigation however, if accused persons desired to produce such witnesses [applicants/petitioners] they could easily bring them as a defence witness at the time of recording their statements under Section 342 Cr.PC. However, if the applicants/petitioners willing to make statements in favor of accused persons, they can easily join the accused persons, at the time of recording their statements under Section 342 Cr.PC as defence witnesses. In view of above present application/petition disposed of, accordingly.

Accordingly, applicants would be at liberty to record their statement on oath or lead evidence of DWs hence, instant Cr. Misc. Application alongwith listed application[s] is dismissed having no merit for consideration.

JUDGE