

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

Cr. Misc. Appln. No. S – 123 of 2024

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| Date of hearing | Order with signature of Judge |
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Hearing of case (Priority)

1. For orders on MA No.1229/2024 (Ex.A)
2. For hearing of main case
3. For hearing of MA No.1230/2024 (S/A)

24.05.2024

Mr. Achar Khan Gabol, Advocate for the Applicant
Mr. Alam Sher Bozdar, Advocate for respondent No.3
Mr. Shafi Muhammad Mahar, DPG for the State

ORDER

Muhammad Iqbal Kalhoro, J;- Applicant has challenged an order dated 07.03.2024, whereby SHO PS A-Section, Ghotki has been directed to record statement of respondent No.3, and if a cognizable offence is made out, register FIR against him.

Learned counsel for applicant submits that applicant had obtained loan of Rs.50,00,000/- (*Rupees fifty lac*) from respondent No.3 and has already paid Rs.22,00,000/- (*Rupees twenty two lac*) to him, but respondent No.3 is demanding interest thereon. He further submits that respondent No.3 is in habit of giving loans on interest. His arguments have been denied by learned counsel for respondent No.3 and Deputy Prosecutor General for the State.

Prima facie, it is apparent that applicant had given a cheque of Rs.50,00,000/- (*Rupees fifty lac*) against the loan amount, which, on presentation, was dishonoured. Applicant has not denied obtaining said money from respondent No.3 as a loan and has submitted that out of Rs.50,00,000/- (*Rupees fifty lac*), he had already given Rs.22,00,000/- (*Rupees twenty two lac*) to

respondent No.3. Without offering any proof to that effect. Therefore, I do not find any illegality in the impugned order passed by learned Additional Sessions Judge-II / Ex-Officio Justice of Peace, Ghotki. Consequently, this application being meritless is dismissed along with listed applications.

Judge

ARBROHI