



ORDER SHEET  
**HIGH COURT OF SINDH AT KARACHI**

C.P. No.D-5699 of 2016

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Date

Order with signature of Judge  
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1. FOR ORDERS ON OFFICE OBJECTION
2. FOR HEARING OF MAIN CASE

19.4.2017

Khwaja Azeem for petitioner  
Mr. Zafar Ahmed Khan, Addl. PG  
SHO Anwar Sheikh, PS Mehmoodabad  
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The petitioner has challenged the order dated 15.7.2016 passed by the Additional Sessions Judge, Ex Officio Justice of Peace, South Karachi, whereby the application under Section 22-A CrPC was dismissed on the ground that the petitioner has already settled their dispute amicably in terms of an agreement produced by the I.O. which has also placed on record. The petitioner and his counsel are in attendance and they deny that any compromise was signed, which was claimed to be obtained while it was blank. Even today, learned counsel has shown an acknowledgment of the petitioner, which is claimed to be signed under coercion of the police officials, that he has signed such compromise at the relevant time, when the Jirga was constituted, the petitioner's counsel has not denied the contention that the Jirga was constituted, however, he has never pardoned any accused person.

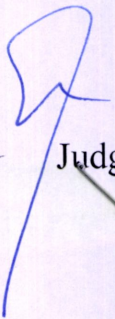
Learned state counsel is also in agreement that at-least the statement of the petitioner could have been recorded and his version could have been reduced and the concerned SHO could have taken the cognizance in case it is made out in pursuance of the statement.



We deem it appropriate that without being prejudiced to the order dated 15.7.2016 is set aside, let a statement of the petitioner be recorded and in case any cognizable offence is made out against the accused persons and/or nominated persons, appropriate steps in lodging the FIR be taken.

The petition with the above observation stands disposed off. The official respondent shall provide security to the petitioner and his family members.

  
Judge

  
Judge

asim/pa

Order Bundled  
Filed  
22-4-17