

ORDER SHEET
IN THE HIGH COURT OF SINDH CIRCUIT COURT LARKANA
Crl. Misc. Application No. S- 23 of 2012

(4P)

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on office objection 'A'
2. For Katcha Peshi.

20.10.2015

Mr. Abdul Rehman A. Bhutto, advocate for the applicant.
Mr. Khadim Hussain Khooharo, DPG.

At the outset, it appears that learned Magistrate while accepting summary in 'B' class has contended that:-

“ From the perusal of record it reveals that at first instance Medical Officer RHC Buxapur opined that injured Makhano Golo received three injuries out of which injury No.1 & 2 were declared as Shajjah Mudiah. During course of investigation SHO suspect that injured Makhano Khan received injury might be self suffered hence he referred Court letter to M.O for verification of injury in respect of injured Makhano Khan, on verification M.O RHC Buxapur opined that the injuries of injured cannot involve the vital part of the body. The self suffered/friendly made injuries cannot be ruled out.”

Learned counsel for the applicant as well learned D.P.G have rightly pointed out that learned Magistrate was not competent to announce pre-trial verdict. Accordingly, impugned order is hereby set aside for remanding the case. Learned Magistrate shall pass fresh order within fore corners of law. Needless to mention that after hearing all necessary parties.


Judge