

Order Sheet
IN THE HIGH COURT OF SINDH,
BENCH AT SUKKUR

Crl. Misc. Application No.S-583 of 2024

Date of hearing	Order with signature of Judge.
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Hearing of Case
For hearing of main case

10-02-2025

Mr. Ubedullah Malano, Advocate for applicant.
Mr. Liaquat Ali Malano, Advocate for respondents No.4 to 10.
Mr. Khalil Ahmed Maitlo, Deputy P.G for the State.

Learned counsel for the applicant submits that on 07.09.2024 at about 03:00 p.m, his brother, namely, Rahib Ali was apprehended by the police and subsequently killed by them. He further contends that as per FIR No.74 of 2024, registered at P.S, Wasti Jiwan Shah-Gotki, compliant SIP Abdul Shakoor disclosed his death as a result of encounter as he was hit by his companions, which is a false version of the police; therefore, a separate FIR may be lodged. He further adds that in view of case of *Sughran Bibi* reported as **PLD 2018 Supreme Court 595** if second FIR is not lodged then the applicant would be satisfied will not press this Crl. Misc. Application if the further investigation of the case is entrusted to a well-reputed police officer not below the rank of DSP who may record statement of applicant in terms of section 161 CrPC and proceed further in accordance with law and if he collects some evidence which constitutes an offence, he may be set at liberty to file fresh report before the concerned Magistrate.

Learned counsel appearing on behalf of private respondents No.4 to 10 as well as learned Deputy P.G did not oppose the proposal so advanced by counsel for the applicant.

Accordingly, instant CrI. Misc. Application is **disposed of**. However, the applicant may approach the I.O to be appointed by the DIGP, Sukkur Range, not below the rank of DSP having impartiality, who shall conduct further investigation of the case, record statement of applicant under section 161 read with section 162 CrPC and proceed further in accordance with law and then submit fresh report before the concerned Magistrate under intimation to this Court through Additional Registrar.

Let a copy of this order be communicated to DIGP, Sukkur Range for information and compliance.

Ahmad

JUDGE