

ORDER SHEET  
IN THE HIGH COURT OF SINDH CIRCUIT COURT LARKANA  
Crl. Misc. Application No. S- 292 of 2011.

DATE	ORDER WITH SIGNATURE OF JUDGE
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For Katcha Peshi.

16.9.2015

Mr. Habibullah G. Ghouri, advocate for the applicant.  
Mr. Shahzado Saleem, APG.  
Mr. Faiz Muhammad Larik, advocate for Respondents No.2 and 3.

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At the outset, learned counsel for respective parties as well APG are in agreement that impugned order dated 28.7.2011 is not falling within the term of "Speaking Order". Perusal of order reflects that learned Judge has not discussed the evidence of eyewitnesses of F.I.R and mainly has relied upon defence witnesses examined by the Investigating Officer. Candidly, complainant and witnesses have alleged that lady Mst. Nazeeran was murdered. Albeit investigation as conducted, is in favour of accused persons. However, Magistrate was required to examine each and every aspect of the case and pass order within fore corners provided by the law. Accordingly, impugned order is set aside. Learned Magistrate shall pass fresh order over that summary in accordance with law. He would be competent to call witnesses for examining the veracity of their statements. The learned Magistrate shall decide this summary within one month.

Crl. Misc. Application stands disposed of.

Judge

Abid H. Qazi/\*\*