

157

ORDER-SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT LARKANA
Crl. Misc. Appln. No. S- 51 of 2014.

Date of hearing	Order with signature of Judge
07.04.2014.	

1. For orders on office objection.
2. For Katcha Peshi.

Mr. Tarique Naeem Awan, Advocate for applicant.
Mrs. Seema Imtiaz, A.P.G. alongwith SIP Ahmed Ali SHO P.S, Madeji, and
SIP Shoukat Ali for S.S.P Shikarpur.

~~~~~

Statement filed by SHO P.S, Madeji is taken on record; copy whereof provided to other side.

Through instant application, applicant has challenged Order dated 18.02.2014, passed by learned 4<sup>th</sup> Additional Sessions Judge, Shikarpur, whereby an application under Section 22-A (6) Cr.P.C. was declined.

It appears that learned Additional Sessions Judge has declined application of the applicant on the sole ground that *there is property dispute between the parties and both parties used to file applications to pressurize each other. Proposed accused has also filed counter application to this Court seeking same directions against the applicant;* on this plea his application was declined. Opinion drawn by the Additional Sessions Judge is unwarranted under the law, there was simple request for recording statement before the concerned SHO, which cannot be denied in any manner, unless misuse of such sections is surfaced. Thus, instant application is allowed. Impugned order is hereby set-aside. Concerned SHO is hereby directed to record statement of the applicant; if such statement reflects ingredients of a cognizable offence, incorporate the same in relevant book provided under Section 154 Cr.P.C.

  
Judge

~~~~~