

ORDER SHEET  
IN THE HIGH COURT OF SINDH,  
CIRCUIT COURT, HYDERABAD

CP No. S- 48 of 2016

DATE	ORDER WITH SIGNATURE OF JUDGE
15.01.2016	

1. For Orders on MA 404/16
2. For Orders on MA 405/16
3. For Katcha Peshi

Mr. Mashooq Ali Bhurgri, Advocate for Petitioner

Petitioner is aggrieved by the order passed by the learned IInd Additional Sessions Judge, Badin on his application under Section 22-A & B Cr.P.C. for registration of FIR against respondent Nos. 3 to 6. The impugned order show that the learned Justice of Peace / IInd Additional Sessions Judge, after noticing that the subject cheques were issued only by proposed accused No.2 namely Ashok Kumar, directed the SHO concerned to record the statement of the applicant and in case any cognizable offence is made out against said proposed accused, the FIR be registered only against him. The applicant here has stressed that he has a right to lodge the FIR against all the four brothers, because, according to him, they all have cheated him.

I have perused the impugned order and considered the stance taken by the applicant. I find no illegality in the order in view of the fact that the subject cheques were issued to the applicant only by the accused Ashok Kumar, and if from the statement of the applicant any offence prima facie is going to be made out it would be against him and not against his brothers. The story furnished by the applicant in the application under Section 22-A & B Cr.P.C. is indicative of the fact that there are business relations between applicant and the proposed accused and in pursuance of some transaction the cheques were issued to the applicant. Prima facie therefore, there appears no element of

cheating in the whole episode as alleged by the applicant. I see no merit in the instant petition to even issue notice to the other side. Resultantly, the petition is dismissed in limine along with pending applications.

JUDGE

\*Karar/-