

ORDER SHEET

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA.

Constt: Pett: No. D- 853 of 2016.

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Date

Order with signature of Judge.

1. For orders on office objection as flag A.
2. For orders on M.A No. 3858/2016.
3. For orders on M.A No. 3859/2016.
4. For katcha peshi.
5. For orders on M.A No. 3860/2016.

09.8.2016.

Mr. Mohammad Afzal Jaghirani, advocate for the petitioners.

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1. Overruled.
2. Granted.
3. Granted subject to all just legal exceptions.

4&5. This constitutional petition is directed against the order dated 02.8.2016 passed by learned Sessions Judge/Justice of Peace, Kashmore @Kandhkot in Cr. Misc. Application No. 728/2016 whereby while observing the fact that the injured/applicant has produced medical certificate issued by Medical Officer, Taluka Hospital in which nature of one of the injuries is opined by the Medical Officer as Jurah Ghayr Jaifah Hashmiah falling U/S 337-A(v) which is a cognizable offence, directed the SHO P.S Buxapur to register the F.I.R with further direction that in case the F.I.R is found false, Investigating Officer should initiate the proceedings U/S 182 and 211 PPC against the applicant.

At the very outset, learned counsel for the petitioner was directed to satisfy the Court with regard to the illegality in the impugned order, on that he submits that there is contradiction in the contents of mashirnama of injuries and medical certificate. We are afraid if there is any contradiction in memo of injuries and Medical Certificate it is to be seen by the I.O during course of investigation. So far legal merit of the impugned order is concerned, we have not found



any illegality in the order as the SHO concerned was duly bound to register F.I.R if any cognizable offence is made out from the facts so narrated by the applicant.

For the foregoing reasons, this petition is dismissed in limine.