

**THE HIGH COURT OF SINDH CIRCUIT COURT AT LARKANA**  
**Criminal Miscellaneous Application No.05 of 2020**

Date	Order with signature of Judge
	1. For orders on M.A.No.159/2020 (U/A). 2. For orders on office objection "A". 3. For orders on M.A.No.160/2020 (E/A). 4. For hearing of main case. .....

**17.01.2020**

Mr. Muhammad Aslam H. Jatoi, Advocate for the applicant.  
.....

1. Urgency application is granted.

2-4. This Criminal Miscellaneous Application is directed against Order dated 03.12.2019, whereby the Judicial Magistrate-I, Larkana after examining the Statement of the D.P.P. directed the Investigating Officer to comply with the scrutiny report by declining report under section 173 Cr.P.C for disposal of the case under "B" Class viz Crime / F.I.R. No.119/2019, registered at Police Station Waleed, Larkana for offence under section 489-F, 406 P.P.C.

It appears that the District Public Prosecutor, Larkana while examining the police papers viz F.I.R. and 151 Cr.P.C Statements of the P.Ws, observed that sufficient material was available on record, which connect the applicant-accused with the commission of alleged offence, directed the Investigating Officer to produce the Complainant and P.Ws before the Court at the time of submission of challan.

It may be observed that on the basis of investigation, made by the Investigating Officer concerned, the D.P.P. has found that sufficient material is available for taking cognizance against the applicant-accused and on the basis of his report, which has to be given preference over the report of the I.O for disposal of the case under "B" Class, the impugned order has been passed by the Judicial Magistrate-I, Larkana, which does not suffer from any illegality or irregularity, requires no interference of this Court. Accordingly, this Criminal Miscellaneous Application is dismissed in limine.

Manzoor

  
Judge