

ORDER SHEET

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IN THE HIGH COURT OF SINDH CIRCUIT COURT, LARKANA.

Cr. Misc; Application No.S-40 of 2025.

DATE ORDER WITH SIGNATURE OF HON'BLE JUDGE

1. For orders on office objection "A".
2. For hearing of main case.
3. For hearing of M.A No. 687/2025. (Stay Application)

17-02-2025

Mr. Rafique Ahmed K. Abro, advocate for the Applicant.

Mr. Aitbar Ali Bullo, DPG for the State.

Khalid Hussain Shahani, J.- The petitioners, Khush Muhammad, Jawed Ahmed, and Parwez Ahmed, have invoked the inherent jurisdiction of this Court under Section 561-A of the Criminal Procedure Code (Cr.P.C.), seeking judicial review of the order dated 31.01.2024, issued by the Sessions Judge/Justice of Peace, Shikarpur, in Criminal Miscellaneous Application No.121/2025, under Sections 22-A & 22-B of Cr.P.C, whereby the application of respondent No.3 was allowed.

2. The Respondent No.3 contends that on 03.11.2024, he, along with P.Ws Shafiq Ahmed, Muhammad Waris, and other residents, was present at his residence when, at approximately 02:30 a.m., the proposed accused, armed with deadly weapons, arrived with the intent to commit the murder of Shafiq Ahmed. Allegedly, the proposed accused Wasim discharged a firearm, injuring Shafiq Ahmed's left hand between the thumb and index finger. A second shot was fired by accused Naseem, but failed to inflict injury. Despite the issuance of a medical certificate diagnosing injury No.1 as Jurh Ghyr Jaifah Hashimah punishable under Section 337-F(iii) of PPC, a cognizable offense, the police refused to register an FIR.

3. Heard and perused the record.

4. The learned counsel for the applicants, despite extensive arguments, failed to provide sufficient justification as to why a criminal case should not be registered against the proposed accused. The medical certificate issued by the Medical Officer explicitly classifies injury No.1 as Jurh Ghyr Jaifah Hashimah, which, under Section 337-F(iii) of PPC, constitutes a cognizable offense under Schedule-II of Cr.P.C.

5. Under these circumstances, no legal infirmity or procedural irregularity is found in the impugned order issued by the Ex-Officio Justice of Peace. Consequently, the present application stands dismissed.

6. These are the reasons for the order earlier pronounced.

JUDGE

Asghar Altaf/P.A