

HIGH COURT OF SINDH, CIRCUIT COURT MIRPURKHAS

C.P No.D-1276 of 2024

[Muhammad Muzzamil vs. Province of Sindh & Others]

C.P No.D-1293 of 2024

[Aijaz vs. Province of Sindh & Others]

C.P No.D-41 of 2025

[Feroz Gul vs. Province of Sindh & Others]

Before:

Mr. Justice Arbab Ali Hakro

Mr. Justice Riazat Ali Sahar

Petitioners by : M/s Iqrar Ali Panhwar, Masood Ahmed
& Hussain Bux Mari advocates

Respondents by : Mr. Ayaz Ali Rajpar Assistant A.G

Dates of Hearing : 12.03.2025

Date of Decision : 12.03.2025

JUDGMENT

ARBAB ALI HAKRO, J:- Considering that all the aforementioned petitions pertain to the same subject matter, they are, therefore, adjudicated through this consolidated order.

2. In the above three petitions, the Petitioners assert that they applied for the positions of Police Constables (BPS-07) within the Sindh Police Department, Government of Sindh, from their respective districts, Sanghar and Umerkot. They contend that they completed the requisite stages of recruitment, including written examinations, physical evaluations, and viva voce/interviews. However, upon receiving a request from the Respondents to verify the Petitioners' character and antecedent reports through the relevant authorities, the Petitioners were implicated in criminal cases, each being associated with at least one such case. As a result, the Recruitment Committee disqualified them from their candidatures/appointments even though the Petitioners had been acquitted in these criminal proceedings.

3. In all the petitions, para-wise comments and reports were sought from the official respondents, which they have duly submitted. In their submissions, the respondents reiterated that the appointments of the Petitioners were denied on the grounds of their alleged involvement in criminal proceedings.

4. Learned counsel for the Petitioners and the learned Assistant Advocate General (A.A.G.) have been heard, and the contents of the

petitions have been meticulously examined. It is an undisputed fact that the Petitioners were denied appointments to the position of Police Constables solely on the grounds that, upon receipt of antecedent and character reports from the relevant authorities, they were found to have been implicated in criminal cases, with FIRs registered against them. This was despite their subsequent acquittal in those criminal cases. In analogous factual matrices and similar circumstances, as elaborated in the instant petitions, this Bench has previously rendered an authoritative adjudication in a confluence of petitions via a consolidated judgment dated 14.02.2025, wherein after an exhaustive and profound juridical analysis, it was held as follows: -

“Based on the above discussion, we conclude that the Petitioners, having been acquitted either by trial, compromise in a murder case through the payment of Diyat, or the disposal of the case under cancelled "C" Class, are legally entitled to their appointments, therefore, all those petitions are allowed.”

[Emphasis is supplied]

5. In the present case, the Petitioners underwent the complete recruitment process and fulfilled the eligibility criteria. The sole ground for their disqualification was their alleged involvement in criminal cases, which no longer holds merit following their acquittals. To deprive the Petitioners of their appointments on this basis would contravene the principles of justice and equity, as upheld in analogous judgments, including the precedent established by this very Bench in its above Judgment dated 14.02.2025. Therefore, in light of the facts, legal principles, and prior Judgment, it is concluded that the Petitioners are entitled to the relief sought. Accordingly, all three petitions are **allowed**, with directions to the Respondents/concerned authorities, to issue appointment letters to the Petitioners without further delay within one month, subject to fulfilling any remaining formalities.

JUDGE

JUDGE