

ORDER SHEET
**HIGH COURT OF SINDH, CIRCUIT COURT,
HYDERABAD**

Cr. Revision Application No.S-06 of 2025.

<i>DATE</i>	<i>ORDER WITH SIGNATURE OF JUDGE</i>
	1. For orders on office objections. 2. For hearing of main case. 3. For hearing of M.A No.350/25.

24.03.2025.

Syed Sajjad Ali Shah, Advocate for applicants.

Mr. Aijaz Hussain Jatoi, Advocate for respondent No.2.

Mr. Irfan Ali Talpur, D.P.G for the State.

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This is application U/s 435 r/w Section 439 Cr.P.C, under which the order of learned court of Sessions Judge/Ex-Officio Justice of Peace, Jamshoro dated 15.01.2025 has been challenged, wherein an order was passed for lodgement of FIR. The learned counsel for the applicant contends that in light of the Judgment passed by the Honourable Supreme Court of Pakistan in a case of **Mst. Sughran Bibi v. The State** reported as PLD 2018 Supreme Court 595, now it has become fairly clear that no second FIR can be lodged of the same incident and the version of the other party if at all comes on the surface is to be amalgamated with the earlier FIR. Now it is principle of law and even the police officials and the concerned Magistrates are well aware and they pass orders in light of the **Sughran Bibi** case law. The learned D.P.G for the States prescribes to ~~be~~ the same. It is the learned counsel for the complainant, who states that since the timing of the lodgement of another FIR was different from their version, therefore, the principle laid down by Honourable Apex Court in case of **Sughran Bibi** case cannot be applied. However, he states only difference of one hour, which does not appeal to a prudent mind and the principle as laid down by Honourable Apex Court in case of **Sughran Bibi** case fully applies in this matter.

In the light of above discussion and case law, I am of the view that the second FIR of the same incident cannot be allowed to be lodged, therefore, the Cr. Revision Application in hand is hereby **allowed** and the order of learned trial court is set-aside.

JUDGE