

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT LARKANA
Criminal Misc. Application No.S-100 of 2025

(Abdul Khalique Solangi v/s. S.H.O. P.S. Waleed and others)

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on office objections at flag "A".
2. For orders on M.A.No. 1663/2025 (E/A).
3. For hearing of main case.

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25.08.2025

Qazi Sajid Ali M. Qureshi, Advocate for the Applicant.

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Nisar Ahmed Bhanbhro, J.:- Through this Criminal Miscellaneous Application, the applicant has challenged order dated 25.01.2025, passed by learned VII-Additional Sessions Judge/Ex-Officio, Justice of Peace, Larkana, wherein application under section 22-A(6)(i) Cr.P.C. was declined.

2. Learned counsel contends that the applicant supplied crude oil to the proposed accused, but he did not make payment rather on demand, proposed accused attacked upon the applicant, thereafter applicant approached the concerned police station, but his statement was not recorded. He preferred application, seeking indulgence of the learned Justice of Peace for issuance of directions to the concerned police station for registration of F.I.R. Per learned counsel, the matter was referred for enquiry to the SDPO, Larkana, who recommended the S.S.P.Larkana for registration of F.I.R, despite of that his application was dismissed.

3. Heard learned counsel for the applicant and perused the material available on record. Admittedly, there was dispute between the parties regarding sale and purchase of crude oil and its non payment constitutes a civil liability. The applicant may get recovered the outstanding amount by filing appropriate proceedings before the competent forum. The learned Justice of Peace has rightly observed in para-3 of the impugned order dated 25.01.2025 that dispute between the parties was that of civil nature and ingredients of the cognizable offence were not made out from the statement of the applicant.

4. It is for the Justice of Peace to make out his mind as to whether the information conveyed to him constitutes an offence of

cognizable in nature, then he was required to issue directions to the police for recording of statement of the applicant. However, in the present case, the learned Justice of Peace has come to a conclusion that no offence of cognizable nature was made out, therefore, he has rightly declined the request of the applicant.

5. I have carefully perused the content of application under section 22-A Cr.P.C., whereupon, it transpires that applicant has made an attempt to convert civil dispute into a criminal liability. The impugned order does not suffer from any irregularity or non reading of material on record.

6. In the given circumstances, no case for indulgence of this Court is made out. Consequently, this Criminal Miscellaneous Application is dismissed in *limine*. However, the applicant is at liberty to file appropriate proceedings for recovery of the alleged amount before the forum having jurisdiction, if so advised.

Judge

Manzoor