

IN THE HIGH COURT OF SINDH AT KARACHI

Cr. Mis. Appln No.634 of 2025

Date	Order with Signature of Judge
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- 1. For order on MA No.10208/2025.
- 2. For hearing of main case.

02.09.2025

Mr. M. Salman Khan Rind, Advocate for the applicant a/w the applicant.
Respondent No.4 Tayyaba Shad present in person.
Mr. Siraj Ali Khan, Addl. PG Sindh.

The applicant, Mst. Nasreen Akhtar wife of Raza Bahadur. and, the mother of Zeeshan Khan, on 18.06.2025, filed an application under Section 22-A Cr.P.C. before the Ex-Officio Justice of Peace alleging that respondent no.4, Tayyaba Shad, her daughter-in-law - the spouse of her son, Zeeshan Khan - had allegedly stolen cash and other gold ornaments and run across to her mother's (Tayyaba's) home, refusing to return unless and until Zeeshan, who is in the Army, also returns home from his assignment.¹ Respondent No.4, Tayyaba Shad, present in person before this Court, vehemently denied the allegations. In her defence, she submitted a certified copy of the Order dated 01.01.2024 passed in C.P. No.S-1259 of 2023 filed by Respondent no.4 against her husband, Zeeshan Khan, wherein the High Court restored the custody of her minor daughter to the mother/Tayyab Shad, vide the said Order. Respondent No.4, Tayyaba Shad, also submitted copies of two orders dated 02.04.2024 and 03.04.2024 passed by the Court of XXIV Family/Civil Judge/Judicial Magistrate Karachi East in G&W Appl. No.251/2024 filed by Zeeshan Khan under Section 12(2) Guardians and Wards Act, 1960, allowing the father to meet with the minor Zara Noor once a month, etc. Notwithstanding the foregoing, the Ex-Officio Justice of Peace Karachi East vide impugned Order dated 25.06.2025 dismissed the applicant's mother-in-law's application against her daughter-in-law

¹ Paragraph 6 of the Memo filed by the Applicant before the Ex-Officio Justice of Peace.

for the recording of a statement and registration of an FIR, hence this application before the High Court.

Heard Counsel and parties present in person. The learned Ex-Officio Justice of Peace has observed that the allegations raised by the applicant/mother-in-law against her daughter-in-law are an offshoot of a matrimonial dispute – a de-coupling between husband and wife. The certified copies of the Court's Orders support this observation. Indeed, given this backdrop, the mother-in-law's actions appear to be an afterthought to the still-unfolding falling out between the two houses – applicants' and applicants' sons'. Family mediation would be well-advised in the circumstances. Other civil remedies also remain available to the applicant and her son for recovery of the items sought by them; however, given the facts and circumstances of the case, no grounds are made out for any cognizable offence and/or registration of an FIR. Accordingly, I find no defect in the Order dated 25.06.2025 passed by the Ex-Officio Justice of Peace and the instant criminal miscellaneous application is dismissed for the above reasons.

J U D G E

Asif