

**IN THE HIGH COURT OF SINDH, CIRCUIT COURT,
MIRPURKHAS**

Criminal Miscellaneous Application No.S-127 of 2025

Applicant: Abdul Waheed s/o Inayat Ali
Through Mr. Kuldeep Sharma advocate.

Respondents: 1. S.S.P, Mirpurkhas.
2. SHO P.S Kot Ghulam Muhammad.
3. I.O Crime No.40/2025
PS Kot Ghulam Muhammad
4. Saifullah Khan s/o Abdul Rauf Khan.
5. Abdullah s/o Muhammad Aslam
6. Abdul Sami @ Samiullah s/o Muhammad Aslam.
7. Muhammad Maaz Siddique s/o Abdul Wadood.
8. Mubarak Ali s/o Moinuddin .
9. Danish Ahmed s/o Shafique Ahmed.
10. The State.
Private respondents through Mr. Ghulam Nabi Meo Advocate and Official respondents through Mr. Ghulam Abbas Dalwani, D.P.G.

Date of hearing: 11.09.2025.

Date of Order: 11.09.2025.

O R D E R

Amjad Ali Sahito, J.— Through instant Criminal Miscellaneous Application filed under Section 561-A Cr.P.C., the applicant Abdul Waheed seeks setting aside of Order dated 24-05-2025 (hereinafter referred to as the “Impugned Order”) whereby learned Civil Judge & Judicial Magistrate-I, Kot Ghulam Muhammad accepted summary / report under section 173 Cr.P.C submitted by the I.O in F.I.R bearing Crime No.40/ 2025 under sections 365,337-A(i),337-F(i),147,148,149 PPC of PS Kot Ghulam Muhammad and discharged the private respondents/ accused persons

2. Brief facts giving rise to the instant Criminal Miscellaneous application are that applicant lodged FIR No.40/ 2025 at PS Kot Ghulam Muhammad on 05-05-2025 at 1630 hours stating therein that on 27-04-2025 he alongwith his house inmates were available in front of their house, which is situated in Mohallah Gharibabad, where at 08:00 p.m Saifullah Kaimkhani took away

his son Muhammad Ayan on motorcycle. A 12:11 p.m Saifullah made phone call from his cell phone No. 0300-3694600 and then Abdullah and Saifullah came at his house on motorcycle and took the complainant with them on their motorcycle and when they reached at Allah Din Poultry shop near Liaquat Chowk where saw that Saifullah, Maaz, Mubarak, Danish and 4/5 unknown persons were maltreating Muhammad Ayan with wires, lathies, fists and kicks after removing his clothes. Saifullah and Abdullah also maltreated Muhammad Ayan; he tried to rescue him and on inquiry they disclosed that confessional video of Muhammad Ayan is with them. Then he rescued his son and after got wearing cloths to him brought him at house. On inquiry Muhammad Ayan disclosed to him and Bilal Aziz that Saifullah by enticing took him to Allah Din Poultry shop where Saifullah, Maaz, Samiullah, Abdullah Mubarak, Danish and 4/5 unknown persons maltreated him through wires, lathies and fists and forcibly got recorded his confessional video that he used to do sodomy with the children and after putting off his clothes maltreated him. Then complainant made such complaint to nek mards but the grievance was not redressed; hence after obtaining letter for medical treatment, complainant came at PS and lodged such FIR. After completing investigation I.O submitted summary report for disposal of case/crime under cancelled "C" class, which was accepted by learned Magistrate and the respondents/ accused persons were discharged.

3. Heard, perused.

4. Record shows that during investigation it came to surface that victim Muhammad Ayan, used to do unnatural offence/ sodomy with the children and so also used to shoot/prepare such photos/videos in order to blackmail the children for such illegal activities and victim confessed his guilt which goes viral on social media; such photographs and USB were produced before the learned Magistrate by the police. So far the injuries to victim Muhammad Ayan are concerned; as per I.O fight (*HATA PAI*) took place between Muhammad Ayan party and relatives of the victim children and the medical certificate of victim Muhammad Ayan is also of non-cognizable offence.

5. The learned counsel for the applicant failed to point out any illegality or material irregularity in the impugned order. Hence instant Criminal Miscellaneous application being devoid of merit is hereby dismissed.

JUDGE

Saleem