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ORDER SHEET  
IN THE HIGH COURT OF SINDH CIRCUIT COURT LARKANA  
Const. Petition No-S- 301 of 2016

Date of hearing	Order with Signature of Hon'ble Judge
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1. For orders on office objection 'A'
2. For Katcha Peshi

27.02.2017

Mr. Rafique Ahmed Abro, Advocate for the petitioner.  
Mrs. Kalpana Devi, Assistant A.G.  
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By means of instant petition, the petitioner has sought following relief:-

- a) That, this Honourable Court may be pleased to direct respondent No.4 to probe in the matter and to take appropriate legal departmental action against the respondents No.1 and 2 as who have acted contrary to law and to submit such report before this Honourable Court and further be pleased to constitute a team under the supervision of respondent No.3 with directions to arrest the nominated accused in FIR bearing Crime No.14/2016 of Police Station Naudero.
- b) To direct respondents No.1 and 2 not to cause harassment, not to issue threats of dire consequences and of implicating the petitioner party in series of false criminal cases.
- c) To direct respondents No.3 and 4 to provide protection to the lives and property of the petitioner party as petitioner party apprehend great dangers to their lives and property at the hands of respondents No.1 and 2 so also at the hands of nominated accused of Crime No.14/2016 of Police Station Naudero.


Main contention of learned counsel for the petitioner is that respondent No.1 had arrested two nominated accused of FIR No.14/2016 registered with Police Station Naudero namely Roshan Ali and Sabir Hussain in presence of certain private mashirs and such memo of their arrest was also handed down on the spot. Counsel has annexed copy of mashirnama which is available in the file. Subsequently, for reasons best known to respondent No.1, he has freed the above named nominated accused who appeared before the trial Court and sought pre-arrest bail but later on same was recalled by order dated 16.03.2016. Against that order, the applicants have approached to this Court by means of bail application No.S-170/2016 whereby all the applicants were granted ad-interim pre-

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arrest bail in terms of order dated 05.04.2016. Said application is also pending and fixed today before this Court for hearing. Since the purpose of the petition to the extent of arrest of the nominated accused and subsequently their production before the concerned forum has been over therefore the same has become infructuous.

Mrs. Kalpana Devi, Assistant A.G representing the State submits that purpose of petition has been served. As far as harassment is concerned, she submits that she would direct the official respondents not to harass the petitioner. She however, has also drawn attention of the Court to the statements of the official respondents whereby they all have denied contentions of the petitioner. If the contentions raised in this petition are presumed to be true even then filing of instant petition after appearance of the accused before the concerned forum and subsequently before this Court has achieved its purpose. As far as negligence or disobedience on the part of official respondent No.1 is concerned that is only alarming one but is clear misconduct which requires notice. Let copy of the order be sent to the respondent No.4 SSP, Larkana through fax for compliance.

Mr. Rafique Ahmed K.Abro confronting with the above position does not press this petition which is accordingly disposed of in the above terms.

  
Judge