

ORDER-SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT LARKANA

Constt. Petition No. D- 358 of 2024.

Date of hearing	Order with signature of Judge
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04.06.2024.

1. For orders on M.A. No. 1309/2024 (Urgency Application).
2. For orders on office objections.
3. For orders on M.A. No. 1310/2024 (Exemption Application).
4. For hearing of main case.

Mr. Rizwan Ahmed Abro, Advocate holding brief for Mr. Nisar Ahmed G. Abro, Advocate for petitioner.

1. Urgent application allowed.
3. Exemption allowed.

2&4. As to office objections learned relied upon contents of memo of petition stating that the respondents No.1 to 5 had made raid on the petitioner's house and his near relatives, the alleged detainees, have been picked up and the approach of the petitioner to Police station of respondent No.1 has failed to acquire detainees, as the whereabouts of the detainees are not known.

However, as the petitioner has failed to exercise first available remedy under Section 491 Cr.P.C. before the learned Sessions Judge and observing that the respondents No.1 to 4 are within district Shikarpur learned counsel was called for explanation. Learned counsel contends that respondent No.5 is SHO of P.S Ghotki (District Ghotki), as such the jurisdiction of this Court is present. Having failed to explain as to five Police stations referred to in the petition in District Shikarpur, how was the petitioner able to know that the detainees are available with respondent No.5, who is outside that district and in case even otherwise he has come to know that the detainees are with the respondent No.5, approach to concerned Sessions Court is not found present. In such circumstances, the petition is found not maintainable in the present form, hence is accordingly dismissed. However, the petitioner may approach the concerned Sessions Judge for appropriate remedy in accordance with law.


Judge

Autent