

ORDER SHEET

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

Criminal Misc. Application No. S- 303 of 2025

Date of hearing	Order with signature of Judge
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- 1. For orders on office objections.
- 2. For hearing of main case

25-08-2025.

Mr. Shafi Muhammad Bango, Advocate for Applicant.
Mr. Khalil Ahmed Maitlo, D.P.G.
Private Respondents Nos. 4 and 5 Haleemullah and Hamadullah are present in person.

Learned counsel for the applicant requires to proceed with the arguments , however, learned D.P.G frankly states that according to record being available with this Court, he would not oppose the conversion of disposal of the case under ‘C’ class instead of ‘B’ class as coming up in the impugned order.

Learned counsel for the applicant conceded to the version along with the private respondents Nos. 4 and 5 namely: Haleemullah and Hamadullah who are present in person. Said element not liable to be left only at the discretion of the parties, same was looked into. Apparently the allegations of abuse against minor were made, which were not considered so on the basis of record, specially 164 Cr.P.C statement recorded in the matter. In these circumstances where apart from non-issuance of show cause notice specifically required for conclusion of disposal of the FIR under ‘B’ class on account of further consequences being available, it is also found available that element of mala fide and criminal intent not shown, the same may be a result of overzealous agitation.

Accordingly, the impugned order is modified to the extent that the disposal of the matter shall be treated under 'C' class instead of 'B' class as present therein.

The Criminal Miscellaneous Application stands disposed of in the above terms.

J U D G E

Irfan/PS

