

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C.P. No.S-357 of 2025
(Danish Ghous and another versus Inspector General of Police & others)

Date	Order with signature of Judge
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Date of hearing and order:- 02.02.2026

Mr. Mr. Shariq holding brief for Mr. Ahmed Masood advocate for the petitioners
Mr. M.Shahryar advocate for respondent No.8
Mr. Ali Safdar Depar AAG along with Hakim Ali SDI Quidabad and SIP Sultan
Malik of PS Frere.

ORDER

Adnan-ul-Karim Memon, J. – The petitioners have filed the captioned Constitutional Petition under Article 199 of the Constitution of the Islamic Republic of Pakistan, 1973, with the following prayer.

- a. *Declare that the actions of the recipients of the cheques for alleged payments owed by the Seller are illegal, unlawful and unconstitutional*
- b. *Declare that the actions of the recipients of the cheques for alleged payment owed by the Seller tantamount to harassment.*

2. The case of the petitioners is that they are qualified engineers by profession, and are engaged in the lawful business of manufacturing and trading of electrical and switchgear products through various duly registered entities. The Petitioners are presently in the process of acquiring IMS Electric Private Limited from its existing owners, and for this purpose have already approached the Competition Commission of Pakistan by filing the requisite documents. It is submitted that during the pendency of the acquisition process, the Petitioners recently discovered that the Sellers of the Company had, before the proposed acquisition, issued multiple cheques of the Company to various third parties for their own personal borrowings and liabilities. The Petitioners have no concern, connection, or privity of contract with the said recipients, nor have they entered into any business or financial transaction with them. Petitioners also averred that upon learning about the proposed acquisition, the recipients of the cheques, acting with mala fide and criminal intent, have started harassing and intimidating the Petitioners, their family members, staff, and business associates, with threats of grave consequences unless the alleged amounts are paid. It is further submitted that local police officials, subordinate to Respondents Nos. 1 to 7, have also unlawfully contacted the Petitioners and attempted to coerce them into settling the alleged liabilities, threatening registration of FIRs even though the cheques were issued by the Sellers and not by the Petitioners. It is urged that such actions are wholly illegal, without lawful authority, and amount to harassment, extortion, and abuse of public office. The Petitioners' fundamental rights guaranteed under

Articles 4, 9, 14, 18, and 25 of the Constitution are being violated, and there exists a real and imminent apprehension of unlawful arrest and further intimidation. They prayed that this Court declare the impugned actions illegal and unconstitutional, restrain the Respondents from harassing or taking coercive action against the Petitioners in respect of liabilities of the Sellers.

3. This Court, vide order dated 25.4.2025, recorded the contention of learned counsel for the Petitioners that they are in the process of acquiring IMS Electric Pvt. Ltd. and have recently discovered that the sellers had issued certain cheques to various individuals, who are attempting to initiate criminal proceedings against the Petitioners despite there being no nexus with the said cheques.

4. Learned counsel for Respondent No.8 submits that no harassment has been caused by his client. The official respondents, present in Court, state that they have neither harassed the Petitioners nor intend to do so and shall act strictly in accordance with the law.

5. In view of the facts and circumstances narrated above, as well as the statements made by learned counsel for Respondent No.8 and the official respondents before this Court, no further cause for interference presently survives.

6. The apprehensions expressed by the Petitioners stand adequately addressed by the categorical assurance of the official respondents that no coercive or unlawful action shall be taken against the Petitioners and that they shall act strictly in accordance with law.

7. Accordingly, without touching the merits of the controversy and keeping in view that the Petitioners have no nexus with the cheques allegedly issued by the Sellers prior to the proposed acquisition, the petition is disposed of. The official and private respondents are directed to strictly refrain from harassing, intimidating, or taking any coercive action against the Petitioners in respect of the alleged liabilities of the Sellers, except in accordance with law. The Petitioners shall, however, remain at liberty to avail appropriate legal remedies in case of any future violation of their fundamental rights.

JUDGE