

ORDER SHEET
IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

Criminal Miscellaneous Application No. S – 730 of 2025.
(Sikander Ali vs The State and others)

Date of hearing	Order with the signature of the Judge
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Fresh case

1. For orders on office objection at flag 'A'
2. For orders on MA No.6756/2025 (Ex.A)
3. For hearing of main case

09.03.2026.

None Present.

On the last date of hearing, this Court had observed that after filing of the instant Criminal Miscellaneous Application, no one had appeared on behalf of the applicant. The matter was adjourned with the observation that in case of non-appearance on the next date, the application would be decided after perusal of the material available on record. Today again none has appeared on behalf of the applicant, nor has any intimation been received.

In pursuance thereof, the record and material available on file have been perused. The record reflects that the main prayer of the applicant is to direct the learned trial Court/Judicial Magistrate, Gambat, to amend the charge in compliance with the order dated 19.03.2025 passed by the learned Additional Sessions Judge, Gambat in Criminal Revision No.04 of 2025.

Mr. Zulfiqar Ali Jatoi, learned Additional Prosecutor General, is present in Court, who has waived notice and assisted the Court by submitting that if any order passed by a Court having competent jurisdiction in revision or appeal is not complied with, the appropriate course is to approach the same Court for implementation of its order rather than filing a Criminal Miscellaneous Application or Constitutional Petition before this Court.

The contention of the learned Additional Prosecutor General appears to be correct. This Court does not sit to enforce compliance with an order passed by another competent Court unless a clear

refusal or failure on the part of the trial Court to comply with such order is demonstrated. In the present case, no such refusal or illegality has been shown on the part of the trial Court. Accordingly, this Criminal Miscellaneous Application, being devoid of merit, is hereby dismissed, along with the listed application. The office is directed to communicate this order to the learned trial Court.

JUDGE