

**IN THE HIGH COURT OF SINDH BENCH AT SUKKUR**

*Criminal Revision Application No. S-12 of 2026.  
(Imdad Ali vs The State and others).*

**Before:-**

***Mr. Justice Ali Haider 'Ada'***

**16.03.2026.**

Mr. Waheed Ali Samtio, Advocate for the Applicant  
Mr. Gulzar Ahmed Malano, Assistant Prosecutor General for  
the State

**ORDER**

**Ali Haider 'Ada', J:** Through this Criminal Revision Application, the applicant has assailed the order dated 17.09.2025 passed by the learned Special Judge, Anti-Corruption (Provincial), Sukkur Division, Camp at Naushahro Feroze, (**trial Court**), whereby the learned trial Court passed the impugned order in Direct Complaint No.411 of 2015 (Re: Imdad Ali vs. Shafique Ahmed and others).

2. The record reflects that the applicant, being the complainant, filed a direct complaint before the learned trial Court, pursuant to which statements of the complainant and other witnesses were recorded. Subsequently, the applicant moved an application under Section 190 Cr.P.C., wherein he sought to join seven ladies and two male persons as accused in the direct complaint proceedings. However, the learned trial Court, vide the impugned order, dismissed the said application. Feeling aggrieved by such dismissal, the applicant has preferred the present Criminal Revision Application.

3. It is further reflected from the record that on 27.11.2025 this Court had already dismissed a revision application filed by the applicant against the same impugned order. Despite the said dismissal, the applicant has again filed the instant revision application as a fresh one; however, the same has been fixed for consideration on the point of maintainability.

4. Learned counsel for the applicant submits that prima facie an offence has been committed by the accused persons, who ought to have been summoned and joined in the proceedings under Section

190 Cr.P.C., but the learned trial Court failed to properly consider this aspect while passing the impugned order. He further contends that the present revision application, being a fresh one, is maintainable and liable to be entertained. However, he further seeks time to file certain documents.

5. On the other hand, the learned Assistant Prosecutor General submits that the scope of Section 190 Cr.P.C. requires that some material should be available on record against the proposed accused persons before they are summoned. According to him, except for merely mentioning their names in the application, no specific allegations have been levelled and no material has come on record against the proposed accused. Therefore, the learned trial Court has rightly dismissed the application.

6. Arguments heard and record perused.

7. Firstly, the record reflects that the earlier Criminal Revision Application was dismissed on 27-11-2025. Thereafter, after a lapse of more than two months, the applicant filed the instant Criminal Revision Application. The order dated 23-02-2026 indicates that the learned counsel was put on notice to argue the point of maintainability. In this context, the applicant's request for time to file certain documents is unjustified and appears to be an attempt to unnecessarily prolong the proceedings. Therefore, the request to adjourn the matter for the purpose of filing documents is misconceived and is not be allowed.

8. It is a settled principle of law that once a complaint is entertained by the Court, any subsequent attempt to join additional accused persons must be supported by some reliable and substantive material brought on record through legally admissible evidence. Mere mention of names in an application is not sufficient to justify summoning or joining such persons as accused in the proceedings.

9. In the present case, the learned trial Court has rightly observed that the proposed accused persons were neither mentioned in the original complaint nor did their involvement transpire from

the statements of the complainant party recorded before the Court. Therefore, merely mentioning their names in an application under Section 190 Cr.P.C. does not provide a sufficient basis to summon or join them as accused in the absence of any cogent material available on record.

10. It is also a recognized legal position that unless some fresh and reliable evidence comes on record during the course of prosecution evidence, the names of proposed accused cannot be added in the case. In this regard, reliance is placed upon the judgment reported as *Ghulam Hussain alias Nangar and two others versus The State* (PLJ 2001 Cr.C. (Karachi) 749).

11. In view of the above circumstances, no illegality or irregularity is found in the impugned order passed by the learned trial Court. Consequently, there is no justification for this Court to interfere in the same. Accordingly, the instant Criminal Revision Application is dismissed, being devoid of merits, along with the listed application.

**JUDGE**

ARBROHI