

HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

C.P. No.D-1825 of 2025

[Qurban Ali and another v. Province of Sindh & others]

Before:

Mr. Justice Adnan-ul-Karim Memon

Mr. Justice Riazat Ali Sahar

Petitioner: Qurban Ali and another through Mr. Adil Mustafa Arain, advocate along with Shuban Ali Khoso.

Respondents No.1to6&17: Province of Sindh and others through Mr. Muhammad Ismail Bhutto, Additional Advocate General, Sindh.

Respondents No.7to16: Nemo.

Date of hearing: 20.11.2025

Date of Judgment: 20.11.2025

J U D G M E N T

RIAZAT ALI SAHAR, J:- Through this petition, the petitioners have prayed as under:-

- (a) *That this Honourable Court may be pleased to direct respondent Nos.2to4 to appoint any honestly police officer not below the rank of ASP/DSP to investigate the below mentioned Crimes/FIRs without caring the fact that the said FIRs are registered due to political rivalry and submit such report before this Honourable Court as well as learned trial Courts.*
- (b) *Direct the Respondents No.2to4 to restrain the local police of District Badin, from registering more false FIRs against the petitioners, their family members and other workers of their party at the instance of private respondents due to political rivalry without permission of this Honourable Court.*
- (c) *To further direct respondents Nos.2 to 6 to provide legal protection to petitioners, their family members and other workers and also restrain private respondents and local police from causing harassment and putting pressure upon them for any kind;*
- (d) *This Honourable Court may be pleased to call the list of FIRs registered against the petitioners, their family members and other workers of their political party, quash all the FIRs and also stay the operation of FIRs*

bearing Crime No.125/2025, U/S. 324, 506(2), 337-A(i), 337-F(i), 504, 34 PPC at Police Station Pangrio and Crime NO.131 of 2025, U/S. 297, 341, 504, 34 PPC at Police Station Pangrio and others, if any, being result of political rivalry, till decision of the present petition.

- (e) *This Honourable Court may be pleased to constitute JIT into the above matter to dig out the actual facts behind registering the aforesaid FIRs to provide justice to the petitioners;*
- (f) *Any other order, which this Honourable deem fit and proper may also be awarded to the petitioners.*

2. The case of the petitioners is that they are political workers of the Grand Democratic Alliance (GDA), allege that due to political rivalry with the ruling party, the private respondents, in connivance with the local police, have subjected them to continuous harassment by lodging a series of false FIRs, first FIR No.44/2025, then FIR No.125/2025 and thereafter FIR No.131/2025, all registered at Police Station Pangrio, compelling them to repeatedly seek bail. They further assert that their residences are being raided, their businesses disrupted and their family members threatened, amounting to political victimization and violation of fundamental rights under Articles 4, 9, 14, 15, 18, and 25 of the Constitution of Islamic Republic of Pakistan, 1973. Despite submitting applications, including application under Sections 22-A & B Cr.P.C., no action has been taken by the official respondents, who are alleged to be acting under political influence. The petitioners further assert that fair investigation is not possible at the hands of the local police and seek intervention of this Court to protect their life, liberty and property to prevent further false cases and to ensure impartial investigation through constitution of a JIT or any appropriate direction deemed just by this Court.

3. Learned counsel for the petitioners contends that the consecutive FIRs are manifestly *mala fide* and constitute an abuse of process. He contends that only intervention of this Court can safeguard the petitioners from further harassment.

4. Conversely, learned A.A.G. Sindh contends that the petitioners-party is duly nominated in the FIRs and must pursue their remedies before the trial Court. He contends that no extraordinary interference is warranted in constitutional jurisdiction.

5. We have heard learned counsel for the petitioners as well as learned A.A.G. Sindh and have examined the material available on record.

6. The undisputed sequence of consecutive FIRs registered against the petitioners, coupled with the political rivalry between the parties and *prima facie* the involvement of the police officials of same police station in each investigation, reasonably gives rise to an apprehension of unfairness and lack of transparency. In such circumstances, the principles of fairness, impartiality and due process, as guaranteed under Articles 4, 9 and 10-A of the Constitution, require that the investigation be conducted by an officer who is independent of local influence so as to inspire confidence in the justice system. We are, therefore, satisfied that the ends of justice would be met if the matter is reinvestigated by an honest and reputable police officer of appropriate seniority.

7. In view of the circumstances of the case, while refraining from making any observation on the merits of the pending criminal cases, we direct the DIGP Hyderabad to order reinvestigation of the aforesaid FIRs through an honest, well-reputed and impartial police officer not below the rank of DSP. The said officer shall conduct the reinvestigation strictly in accordance with law and submit a comprehensive report before this Court as well as the concerned trial Court(s) within thirty (30) days.

8. The petition stands **disposed of** in the above terms.

JUDGE

JUDGE