

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR
Crl. Misc. Appln. No. S– 763 of 2025

Hearing of case

1. For orders on office objection at flag 'A'
2. For orders on CMA No.2031/2025 (Ex.A)
3. For hearing of main case

20.01.2026

Mr.Athar Ali Mirani, Advocate for the Applicant

ORDER

Adnan Iqbal Chaudhry, J- The applicant has called in question order dated 21.11.2025 passed by II-Additional Sessions Judge / Ex-Officio Justice of Peace, Naushahro Feroze, dismissing the applicant's application under Section 22-A and 22-B, Cr.PC. By that application, the applicant had sought directions for registering an FIR against Respondent No.4, his wife, who married the Respondent No.5 allegedly without a khulla / divorce from the applicant.

2. Impugned order reflects that the applicant's averments were duly considered, so also previous proceedings collateral to the matter before arriving at the following conclusion;-

“The present applicant claims to be aggrieved firstly with the order of learned Judicial Magistrate Mir Wah, Khairpur and then he filed the Cr. Revision Application No.39 of 2024 which was dismissed vide order dated: 25-09-2025 by learned 3rd ADJ Khairpur with observation as to liberty of the applicant to file the direct complaint to the court having competent jurisdiction. The previous FIR No.193 of 2023 was lodged against the proposed accused Muhammad Mour U/s 365-B PPC, where the applicant may record his statement to the concern IO as the investigation never stops. The applicant may record his version and statement about the second marriage of proposed accused Mst. Zameeran with Muhammad Mour during the substance of first marriage if any. The applicant is having knowledge about the second marriage of the

proposed accused No.1 with proposed accused No.2, but admittedly no suit for Jactitation of Marriage is filed by the present applicant before any family Court. Keeping in view that present circumstances it seems that the applicant have arose malice against the proposed accused who kept on appearing before the courts of law by filing protection applicant and constitution petition before the Honourable High Court of Sindh. Therefore, in these circumstances the present application is hereby declined. However, applicant is at liberty to file direct complaint, if so desired.”

3. The impugned order, therefore, reflects that the learned II-Additional Sessions Judge / Ex-Officio Justice of Peace, Naushahro Feroze had examined all aspects of the matter before dismissing the applicant's application. Learned Counsel does not point out any legal error emanating from said order. Therefore, this Criminal Miscellaneous Application u/s 561-A, Cr.PC is dismissed in *limine* along with listed application.

Judge