

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT,
HYDERABAD

C.P. No.D-2073 of 2025

[Ameer Kumar Vs. Inspector General of the Police & others]

Present:

Mr. Justice Adnan-ul-Karim Memon

Mr. Justice Riazat Ali Sahar,

18.12.2025

Mr. Ali Raza Memon, Advocate for Petitioner.

Mr. Rafique Ahmed Dahri, Assistant Advocate General, Sindh along-with
ASI Badar Uddin I.O of the case PS Chhachhar.

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ORDER

ADNAN-UL-KARIM MEMON, J- Petitioner Ameet Kumar has filed this petition under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973, seeking the following relief:

- “(a) *That this Honourable Court may be pleased to quash the proceedings in Crime No.24/2025 U/s: 341, 123-A, 124-A, 147, 148, 149, 188 PPC of P.S Chachar.*
- (b) *That this Honourable Court may pleased to quash the proceeding as matter is not being challaned and is still pending before the Civil Judge and Judicial Magistrate Manjhand for further disposal.*
- (c) *Declare that straightaway arrest without the collection of material is illegal unlawful and sheer violation of the mandatory provision of the statues and contrary to the direction given by the Honorable Supreme Court in case of Sughra Bibi (PLD 2018 SC 595) and of this Honorable Court in Order Dated:- 16-02-2023.*
- (d) *That this Honourable Court may be pleased to respondent No. 01 and 02 to conduct the departmental enquiry against the respondent No. 03 and 04 and all concerned for misuse of the official powers and public exchequer at behest of malafide intentions and ulterior motives.*
- (e) *Set-aside all proceedings, actions arising out of FIR No. 24 of 2025 of P.S Chachar till to the further findings and disposal of present petition.*
- (f) *Restrain the Respondent No. 3 from straightaway arrest of the petitioner and other nominated persons in present FIR.*
- (g) *Any other relief to be deem fit and proper.”*

It has, inter alia, been contended by learned counsel for the petitioner that the petitioner has not committed any offence whatsoever. He submits that the alleged incident, as narrated in the FIR, never took place and that the same has been falsely

engineered by the complainant party. Learned counsel further argues that on the date and time mentioned in the FIR, the entire leadership of the Sindh United Party was present at the District Headquarters, Jamshoro, where a joint press conference was held by the President of the Sindh United Party, Syed Zain Shah, along with other leaders of left-wing parties, namely Riaz Chandio and Dr. Niaz Kalani. It is further submitted that prior to the registration of the impugned FIR, the Senior Vice President of the Sindh United Party, Syed Muneer Hyder Shah, along with other party workers, had staged a protest in front of the SSP Office, Jamshoro, against the open and unchecked supply, sale, and purchase of contraband and other intoxicating substances. Learned counsel contends that as a result of this protest, the leadership of the party has been falsely implicated in FIR No. 24 of 2025, registered for offences under sections 341, 123-A, 124-A, 147, 148, 149, and 188 PPC, which, according to him, are not applicable to the facts of the present case.

Learned Assistant Advocate General submits a statement to the effect that the matter is presently under investigation and has been referred to the Deputy District Prosecutor for his opinion as to whether the case is fit to be challaned before the competent court of law or otherwise. It is further submitted that the matter has not yet been taken up by the learned Magistrate in terms of section 170 & 173 Cr.P.C to opinion on the issue and in this pending proceedings. At this stage, learned AAG emphasized that it is for the learned Magistrate to determine whether sufficient material exists for trial of accused or otherwise; if so, cognizance may be taken, and if not, the accused may be released under section 63 Cr.P.C. for want of sufficient evidence.

Without touching the merits of the case and with consent of the parties, accordingly, the matter is directed to be placed before the concerned Magistrate upon completion of investigation who, after hearing the parties, shall pass a reasoned and speaking order on the judicial side with regard to the allegations surfaced during investigation.

The petition stands disposed of in the above terms.

JUDGE

JUDGE