

**IN HIGH COURT OF SINDH, CIRCUIT COURT
HYDERABAD**

C.P. No.D-818 of 2026

[Manzoor Hussain & others v. Province of Sindh & others]

Before:

Mr. Justice Adnan Iqbal Chaudhry

Mr. Justice Riazat Ali Sahar

Petitioners : Manzoor Hussain and others
through Mr. Badal Gahoti,
Advocate.

Respondents : Province of Sindh and others
through Mr. Rafique Ahmed Dahri,
Additional A.G. Sindh along with
ASI Abdullah Jamali and WHC
Mehboob Ali Siyal PS B-Section
Nawabshah.

Date of Hearing : 19.05.2026

Date of Decision : 19.05.2026

ORDER

RIAZAT ALI SAHAR. J. - Through this Constitutional Petition under Article 199 of the Constitution of the Islamic Republic of Pakistan, 1973, the petitioners seek protection of their life, liberty, dignity and property against the alleged highhandedness and unlawful acts of the local police officials in connection with Crime No.90 of 2026 registered at Police Station B-Section, Nawabshah under Sections 302, 364, 324, 506 (2), 337-H (ii) and 34 PPC. The petitioners further pray for restraint against alleged illegal raids and for appointment of an impartial officer to conduct investigation in accordance with law.

2. The background of the case is that the petitioners claim to have no nexus whatsoever with the incident relating to Crime No.90 of 2026, wherein one Umed Ali Khaskheli lost his life on 16.04.2026. It is alleged that on the same night respondent police officials headed by SHO P.S. B-Section, Nawabshah raided the house of the petitioners, violated the sanctity of chadar and chardevari, illegally detained petitioner No.1 and female family members and removed cash, gold ornaments, household articles, agricultural produce and other valuables from the house. It is further alleged that petitioner No.1 remained in unlawful confinement and that continuous raids were

conducted for arrest of petitioners No.2 and 3 despite their alleged innocence. The petitioners, owing to fear of illegal arrest and torture, shifted to Hyderabad along with their family members and approached this Court seeking constitutional protection.

3. Pursuant to notice, respondent No.4 filed comments wherein it is contended that FIR No.90 of 2026 was lawfully registered on the complaint of Muhammad Ali Khaskheli regarding the murder of Umed Ali Khaskheli and injuries caused to another person. It is stated that during investigation statements of witnesses under Section 161 Cr.P.C. were recorded, incriminating articles including empty shells, blood-stained earth, pistol and axe were recovered and sent for forensic examination, and interim challan under Sections 173/170 Cr.P.C. has already been submitted before the competent Court. According to the respondents, accused persons Zafar Ali and Asif Ali are in judicial custody whereas Talib and Akhtar Ali are on pre-arrest bail, and sufficient material has surfaced connecting the nominated accused with the offence. It is further asserted that the present petitioners are closely related to the nominated accused.

4. Learned counsel for the petitioners contends that the petitioners are innocent persons and have falsely been subjected to harassment, illegal detention and repeated police raids despite having no involvement in the alleged offence. He contends that respondent police officials acted in excess of authority by unlawfully entering the house of the petitioners, violating the sanctity of *chadar* and *chardevari*, and depriving them of cash, valuables and household articles without lawful justification. He further contends that the acts of the respondents are in violation of the Constitution and that the petitioners apprehend illegal arrest and maltreatment at the hands of the police. Learned counsel lastly prays for protection to the petitioners and for conducting fair and impartial investigation through an independent officer.

5. Learned A.A.G., Sindh, assisted by respondent police officials, opposes the petition and contends that the criminal case has been registered strictly in accordance with law and investigation is being conducted fairly on the basis of available evidence. He contends that nominated accused persons are closely related to the petitioners and substantial incriminating material has surfaced during

investigation, where after interim challan has already been submitted before the competent Court. He further contends that no illegality or *mala fide* on the part of police officials has been established and the constitutional petition is liable to be dismissed.

6. We have heard learned counsel for the petitioners, learned A.A.G., Sindh and have perused the material available on record. It appears that brother of petitioner namely Zafar Ali son of Sodho Khan Khaskheli along with other relatives of the petitioners have been specifically nominated in FIR bearing Crime No.90 of 2026 registered at Police Station B-Section, Nawabshah, in respect of a heinous offence under Sections 302, 364, 324, 506 (2), 337-H (ii) and 34 PPC. The record further reflects that during the course of investigation incriminating material has been collected by the investigating agency and interim challan has already been submitted before the competent Court in accordance with law. *Prima facie*, the police authorities, being under statutory obligation to investigate the matter and arrest the nominated accused persons, were competent to conduct raids and take lawful steps for their apprehension. The allegations levelled by the petitioners regarding harassment and illegal acts are general in nature and are not supported by any independent material placed on record; however, it appears that the instant petition has been filed mainly to avoid lawful process and to create impediment in the ongoing criminal investigation.

7. Accordingly, this petition, being misconceived and devoid of merits, is hereby **dismissed** with no order as to costs. However, it is observed that the police officials shall remain bound to act strictly in accordance with law and shall not create any sort of harassment against the petitioners and their family members during the course of investigation.

JUDGE

JUDGE