

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
C.P. No. D-3804 of 2026
(Bilawal v The State & others)

Date	Order with signature of Judge(s)
------	----------------------------------

Before:
Mr. Justice Adnan-ul-Karim Memon
Mr. Justice Adnan Iqbal Chaudhary

Date of hearing and Order: 15.07.2026
Mr. Muhammad Nawaz Chandio, Advocate for the Petitioner.
Mr. Naeem Akhtar Talpur, AAG Sindh.
Ms. Amna Ansari, Addl. P.G along with Inspector Shafi Mohammad Golo, SHO, Jhoke, District Sujawal.

ORDER

Adnan-ul-Karim Memon, J. – The petitioners have prayed that this Court to issue appropriate directions for quashment of FIR No.21/2026 registered at Police Station Jhoke Sharif, District Sujawal, under Sections 147, 148, 149, 395, 427, 436, 504, 337-H(2) and 506/2 PPC, being false, mala fide and an abuse of the process of law. They further seek suspension of all proceedings arising out of the said FIR, including any coercive action against the petitioners, pending decision of the petition. It is also prayed that consequential proceedings be set aside, the trial Court in FIR No.131/2025 be apprised of the present proceedings to safeguard the fair trial, appropriate action be initiated against Respondent No.2 for lodging a false complaint.

2. Learned counsel for the petitioners submits that the petitioners, who are residents of Village Jaffar Chandio, District Sujawal, have approached this Court seeking quashment of FIR No.21/2026 registered at Police Station Jhoke Sharif under Sections 147, 148, 149, 395, 427, 436, 504, 337-H(2) and 506/2 PPC, stating that the same is a false, fabricated and mala fide counterblast to the murder case FIR No.131/2025, in which the petitioners are witnesses and mushirs and respondent No.2 is the accused. It is submitted that respondent No.2 initially filed an application under Section 22-A(6)(i) Cr.P.C. before the Sessions Court, Sujawal, alleging an incident dated 12.04.2025, but during inquiry conducted by the Complaint Cell, the allegations were found false as independent witnesses, SHO report and spot inquiry revealed that no such occurrence had taken place. It is contended that after withdrawal of the said application, respondent No.2 filed another application on identical facts by merely changing the date of alleged occurrence to 04.12.2025, suppressing the previous inquiry findings, which resulted in registration of the impugned FIR. Learned counsel further submits that the impugned FIR is a deliberate attempt to harass and intimidate the petitioners, who are prosecution witnesses in the pending murder trial, and to compel them to compromise or weaken their testimony. It is argued that the unexplained delay in

reporting the alleged occurrence, the manipulation of the date of the incident, suppression of material facts before the learned Sessions Court, and the earlier adverse inquiry findings clearly demonstrate mala fide and abuse of the process of law. Learned counsel contends that continuation of such proceedings would prejudice the petitioners and adversely affect the fair trial of the murder case. It is, therefore, prayed that FIR No.21/2026 and all consequential proceedings arising therefrom be quashed, as the same are manifestly malicious, vexatious and intended to misuse the criminal justice system.

3. Learned APG submits that FIR No.21/2026 under Sections 395, 436, 427, 147, 148, 149, 506/2, 337-H(2) and 504 PPC was registered on 23.05.2026 in compliance with the order passed by the learned Sessions Judge, Sujawal, on the complaint of Noor Mohammad against the petitioners and others. It is submitted that during investigation, statements of witnesses were recorded, who supported the version of the FIR, and the Investigating Officer also inspected the place of occurrence in the presence of mashirs. She added that despite efforts, the accused persons could not be arrested, and an interim challan under Section 512 Cr.P.C. was submitted before the Court of the learned Civil Judge & Judicial Magistrate, Mirpur Bathoro. It is further submitted that the matter is presently pending before the competent Court.

4. We have heard the learned counsel for the parties present in court and examined the available record.

5. It appears that the petitioners seek quashment of FIR No.21/2026 mainly on the grounds of mala fide, delay, and alleged suppression of facts by respondent No.2, whereas the State maintains that the FIR was registered pursuant to a lawful order passed by the learned Sessions Judge, Sujawal under Section 22-A(6)(i) Cr.P.C., and that during investigation, statements of witnesses supporting the prosecution version were recorded, the place of occurrence was inspected, and interim challan has already been submitted before the competent Court.

6. The allegations raised by the petitioners, including the alleged manipulation of the date of occurrence, falsity of the complaint, credibility of witnesses, and the motive of respondent No.2, involve disputed questions of fact which require appreciation of evidence and cannot ordinarily be determined in constitutional jurisdiction under Article 199 of the Constitution or in proceedings under Section 561-A Cr.P.C.

7. The mere assertion that the FIR is a counterblast or mala fide does not, by itself, justify quashing of criminal proceedings when the contents of the FIR disclose cognizable offences and the matter is already under investigation/trial before the competent Court.

8. It is a settled principle of law that the extraordinary jurisdiction of the High Court for quashing of an FIR is to be exercised sparingly and only in exceptional circumstances where, even if the allegations are taken at their face value, no offence is disclosed, or where continuation of proceedings would clearly amount to abuse of the process of law.

9. In the present case, the defence plea of false implication, previous enmity, or misuse of criminal proceedings can be agitated before the investigating officer or trial Court at the appropriate stage.

10. Accordingly, this Court is not inclined to interfere with the criminal proceedings at this stage. However, the SSP shall ensure fair investigation of the subject crime by directing the Investigating Officer to proceed strictly in accordance with law and evaluate the evidence independently without fear and favour, and also look into the defence plea of false implication, previous enmity, or misuse of criminal proceedings; submit his final report either under section 170 or 173 CrPC before the concerned Magistrate for appropriate orders.

11. The petition, being devoid of merit, is therefore dismissed, with liberty to the petitioners to avail all remedies available to them under the law during the course of proceedings before the competent Court.

JUDGE

JUDGE