

ORDER SHEET
**IN THE HIGH COURT OF SINDH,
CIRCUIT COURT, MIRPURKHAS**

Criminal Misc. Application No.S-223/2026

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For order on M.A No.2089/2026
2. For order on office objection
3. For order on M.A No.2090/2026
4. For haring of main case

16.07.2026

Mr. Heman Das, advocate for the Applicant.

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Applicant Molchand invokes the inherent jurisdiction of this court, assailing the order dated 22.06.2026 passed by the learned Additional Sessions Judge-I/Ex-Officio Justice of Peace, Tharparkar at Mithi, in Criminal Miscellaneous Application No.336 of 2026 under Sections 22-A and 22-B, Cr.P.C., whereby the request for issuance of directions regarding registration of an F.I.R. against the proposed accused persons was declined.

2. Learned counsel for the applicant was heard at considerable length, and the material available on the record was examined with his able assistance. The case as set up in the application is that on 06.06.2026 at about 2:00 p.m., the private respondents, allegedly forming an unlawful assembly, entered the house of the applicant and subjected him, as well as the male and female members of his family, to assault. It has further been alleged that respondent Anchlo was armed with a pistol, whereas the remaining respondents were carrying hatchets and lathis. According to the applicant, respondent Mangal inflicted a lathi blow upon him. It is also asserted that when the applicant's wife, namely Shrimati Amarti, intervened in order to

rescue her husband, respondents Lembo, Sawan, and Ghafoor assaulted her, caused her injuries, caught hold of her by the hair, and threw her to the ground. The applicant has further alleged that on hearing cries for help, Lakho son of Mano, Mano son of Sono, and other villagers arrived at the place of incident and rescued the applicant and his family, whereafter accused Anchlo son of Ranmal set the hedge of the applicant's house on fire.

3. A careful scrutiny of the record reveals that despite attributing specific acts of violence and injuries to the proposed accused persons, the applicant has not brought on record any medical certificate, medico-legal report, or other contemporaneous medical evidence in support of the alleged injuries sustained by himself or the other affected persons. In matters involving accusations of assault and physical violence, such evidence constitutes the most natural and elementary form of corroboration. Its absence materially undermines the veracity of the allegations at the threshold and renders the accusation devoid of the minimum supporting foundation required for invoking the jurisdiction of the Ex-Officio Justice of Peace.

4. The powers exercisable under Sections 22-A and 22-B, Cr.P.C. are indeed meant to advance the cause of justice and to ensure that a grievance disclosing commission of a cognizable offence is not left unattended; however, such jurisdiction is not to be invoked mechanically, casually, or as a substitute for proof of the basic factual foundation of the accusation. Before directions for registration of an F.I.R. are issued, the Court must be satisfied that the complaint, at least prima facie, is supported by some tangible

material so as to justify recourse to criminal process. Mere reproduction of allegations, without supporting material of a confidence-inspiring nature, cannot by itself warrant issuance of such directions.

5. In the present matter, the learned Ex-Officio Justice of Peace appears to have examined the controversy in its true perspective and, upon proper appraisal of the material placed before it, rightly concluded that no case was made out for directing the police to register an F.I.R. The impugned order reflects due application of mind, is supported by sound reasoning, and does not suffer from any misreading or non-reading of the record.

6. The inherent jurisdiction of this Court under Section 561-A, Cr.P.C. is extraordinary in nature and is to be exercised sparingly, with circumspection, and only where a manifest illegality, jurisdictional defect, or miscarriage of justice is demonstrably made out. No such infirmity has been shown to exist in the impugned order. The applicant has failed to point out any legal or factual error warranting interference by this Court in exercise of its constitutional and inherent supervisory jurisdiction.

7. For the foregoing reasons, this Criminal Miscellaneous Application, being devoid of substance and merit, is dismissed in *limine*. Consequently, the order dated 22.06.2026 passed by the learned Additional Sessions Judge-I/Ex-Officio Justice of Peace, Tharparkar at Mithi, is maintained.

JUDGE

“Chander Kumar”