

## ORDER SHEET

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

**CrI. Misc. Application No. S-411 of 2026**  
**(Wadhiyal Chachar Vs. SHO P.S. Katcho Bindi-I and others)**

| DATE OF HEARING | ORDER WITH SIGNATURE OF JUDGE |
|-----------------|-------------------------------|
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For hearing of main case.

**22-07-2026.**

Mr. Wahid Bux Bhutto, advocate for the applicant.  
Mr. Badaruddin Memon, advocate for the complainant.  
Mr. Imran Mobeen Khan, APG  
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### **ORDER**

**Jawad Akbar Sarwana, J.:-** The applicant/complainant, Wadhiyal son of Deen Muhammad, by caste 'Chachar' is aggrieved by the Order dated 03.06.2026, passed by Additional Sessions Judge-I/ Ex-Officio Justice of Peace, Ghotki, in Cr. Misc. Application No.966/2026, whereby his application/complaint under Section 22-A (6) (i) Cr.P.C was dismissed, hence this application.

2. Essentially, the applicant has claimed that an alleged attempt to kidnap/abduct his minor daughter, Miss Sanam, was made by the proposed accused, who with malafide intentions trespassed his house; however, the co-villagers got involved, and his daughter was released.

3. From the perusal of the impugned order, the Ex-Officio Justice of Peace has noted that the applicant/complainant and the proposed accused are of the same caste, i.e. Chachar and are residing in the same vicinity of Village Deen Muhammad Chachar, Taluka Ghotki. Besides, there is a history of enmity between the family members, even though there are inter-marriages between them. The learned Ex-Officio Justice of Peace noted that after the alleged incident took place on 16.05.2026 by the applicant/complainant, instead of approaching the police authorities, he immediately filed the Cr. Misc. Application before the Ex-Officio Justice of Peace. Therefore, after hearing the parties, the Ex-Officio Justice of Peace passed the impugned order.

4. Heard learned Counsel and APG. At the time of arguments before me, both the applicant/complainant, father and his daughter, Miss Sanam, a minor, who was allegedly the victim of the apparent foiled attempt of kidnapping, as pleaded, were/are also in attendance in

Court. As per them, and their Counsel, at present, the family continues to reside in the village peacefully, except that apparently, one of the proposed accused allegedly continues to ask for the hand in marriage of the minor Miss Sanam, which is vehemently opposed by the applicant/complainant. When I queried Counsel as to whether the Ex-Officio Justice of Peace had either overlooked or misread the available record concerning the point that the applicant/complainant, at the time of the alleged incident, did not approach the police authorities, and rushed to file his complaint with the Ex-Officio Justice of Peace, Counsel candidly conceded that in fact he had not approached the police authorities; and, in the first instance, filed the complaint before the Ex-Officio Justice of Peace. Additionally, as apparently co-villagers were also involved in the alleged incident, in order to determine if there was some information about the incident that could trigger the provisions of Section 22-A Cr.P.C, I also queried Counsel if given the scale of the alleged incident, if anyone had preserved any video recording on their smartphones of the alleged incident, he candidly conceded that the villagers were poor persons and no video recording was available.

5. I have perused the impugned order, and applying the principle laid down in the case of **Munawar Alam Khan vs. Qurban Ali Malano** 2024 SCMR 985, I am satisfied that the learned Ex-Officio Justice of Peace has duly considered all information available with him and did not find any ground to trigger the provisions of Section 22-A, Cr.P.C. and dismissed the complaint, in accordance with law, for reasons recorded therein. Further, based on the information available on record and submissions of Counsel and the parties, no case is made out by the applicant/complainant to set aside the impugned Order, and I do not find any ground to interfere with such dismissal.

6. Suffice it to say that the police authorities are put on notice to ensure that there is no breach of the peace in the village and the villagers are afforded equal protection of the law.

7. This Criminal Miscellaneous Application is dismissed in the above terms.

**J U D G E**

*Faisal Mumtaz/PS*