

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

Criminal Miscellaneous Application No.S- 173 of 2026

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on office objection.
2. For orders on MA 2708/2026.
3. For hearing of main case.

16.04.2026.

Mr. Shahzad Ahmed Narejo, Advocate for applicant.
Mr. Siraj Ahmed Bijarani, A.P.G for State.

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The applicant/complainant Riaz Ahmed is aggrieved by order dated 18.02.2026 passed by the Ex-Officio Justice of Peace, Jamshoro. Counsel for the applicant/complainant Riaz Ahmed contends that he is aggrieved by investigation currently being conducted in FIR No.474/2025 in which he is also a complainant and the incident mentioned therein is dated 20.08.2025 @ 07:30 hours. The learned Ex-Officio Justice of Peace disposed of the application under Section 22-A 6 (iii) & (i) Cr.P.C for the reason that an FIR had already been lodged in relation to the same incident of 20.08.2025.

The impugned order dated 18.02.2026 passed by the Ex-Officio Justice of Peace, Jamshoro well recognizes the trite principle that a matter under investigation cannot be interfered by the Ex-Officio Justice of Peace. Further the investigation can extend itself to any other matter arising therefrom. Thus there is/was no need to call for recording of statement of the same complainant concerning the same incident (paragraph 5 of the complainant's Miscellaneous Application before the Ex-Officio Justice of Peace). In addition the application filed by the complainant before the Ex-Officio Justice of Peace prayed for arrest of the accused and did not seek any other grievance be it against the Investigation Officer or that the investigation being conducted was to his prejudice or biased. In fact the applicant/complainant only prayed for

arrest of the accused. These respondents namely (1) Ghulam Shabbir @ Usman (proposed accused No.1), (7) Asif Ali (proposed accused No.4), (8) Arbab Ali (proposed accused No.5), (9) Ghulam Mustafa (proposed accused No.6), (10) Riaz Hussain (proposed accused No.10), (11) Roshan Ali (proposed accused No.9) and one Abdul Sattar were already mentioned as accused in the said FIR which is/was under investigation. In the circumstances, the impugned order does not call for any interference. Accordingly, this Criminal Miscellaneous Application is dismissed for the above reasons along with listed application.

JUDGE

Tufail