

HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD

Crl. Misc: Application No.S-189 of 2026

DATE	ORDER WITH SIGNATURE OF JUDGE(S)
	1. For orders on M.A No.3007/2026 (U/A)
	2. For orders on office objection (s)
	3. For orders on C.M.A No.3008/2026 (Exemption)
	4. For hearing of main case

16.04.2026

Mr.Muhammad Aslam Khan Sarwar, Advocate for applicant

1. Granted.
2to4. Applicant Abdul Rehman Rajput, has challenged the order dated 06.04.2026, passed by the learned V-Additional District Judge/Ex-Officio Justice of Peace, Hyderabad. He contends that the cheques forming the subject matter of the complaint are already the subject of FIR No. 58 of 2026 under Section 489-F P.P.C., registered at Police Station Phuleli, Hyderabad. In these circumstances, learned Ex-Officio Justice of Peace ought not to have directed the S.H.O. to record the statement.

Heard counsel. It is a trite and well-settled principle of law, as enunciated in the case of *Sughra Bibi*, that there cannot be two FIRs in respect of the same occurrence. In the present case, the order of the Ex-Officio Justice of Peace is confined merely to the extent of directing the recording of a statement and it is expected that the law enforcement agency is fully cognizant of the legal principles, which may trigger in this regard, including judgments of the superior court. The adage that ignorance of law is no excuse extends to all categories of law, statutory and case law/precedents, etc. The recording of a statement in accordance with law does not, in any manner, prejudice the defence of the proposed accused. Even otherwise, a direction to record a statement does not amount to a compulsory registration of an FIR. Information obtained may/or may not converge with the on-going FIR. No one knows at this point and clearly such investigation is beyond the powers of the Ex-Officio Justice of Peace especially when

the occurrence is under investigation. All that the Ex-Officio Justice of Peace could do was to order recording of statement. This he has done and left further matter to the police authorities. There is no cause made out for me to disturb the impugned order.

In view of the above, the Criminal Miscellaneous Application is **dismissed** in *limine*, along with the listed application(s).

JUDGE

AHSAN K. ABRO