

HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD

Crl. Misc: Application No.S-185 of 2026

DATE	ORDER WITH SIGNATURE OF JUDGE(S)
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1. For orders on M.A No.3020/2026 (U/A)
2. For orders on office objection (s)
3. For orders on C.M.A No.2925/2026 (Exemption)
4. For hearing of main case
5. For orders on M.A No.2926/2026

16.04.2026

Mr.Muhammad Sadiq Buledi, Advocate for applicant

1. Granted.

2to5. Applicant Muhammad Shafiq, is aggrieved by the impugned order dated 07.04.2026, passed by the Ex-Officio Justice of Peace, Jamshoro, premised upon an alleged cheque which appears to have been dishonoured. Learned counsel contends that the said cheque was not issued towards any consideration and therefore, the provisions of the Negotiable Instruments Act are not attracted. He further submits that the cheque was merely a security instrument and as such, does not give rise to any cognizable offence. Counsel for applicant has argued that this information has been overlooked by the Ex-Officio Justice of Peace and the said forum failed to examine the issue. By no stretch of the imagination can the points raised by counsel be considered by the Ex-Officio Justice of Peace. The provisions of Section 22-A and B Cr.P.C are not the proper forum to determine the cognizance of offences. Counsel has been unable to sight any case law in support of his legal proposition. The Ex-Officio Justice of Peace is/was not a substitute for investigation. Cognizance is determined in the first instance by the Police authorities subject to information. The exercise is squarely the domain of the Police Authorities. In the circumstances, the Ex-Officio Justice of Peace rightly ordered for recording of the statement, etc. No ground is made out for interference in the impugned order. In view of the above, the Criminal Miscellaneous Application is **dismissed** in *limine* in the above terms along with listed application (s).

JUDGE