

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

*Criminal Misc: Application No. S-209 of 2026
[Dodo Phulpoto vs. SSP Sukkur and others]*

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| Date | Order with the signature of the judge |
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For Fresh case.

1. *For orders on M.A No.1866/2026 (U/A).*
2. *For orders on office objections.*
3. *For orders on M.A No.1867/2026 (Ex/A)*
4. *For hearing of main case.*
5. *For orders on M.A No.1868/2026 (S/A).*

19.03.2026.

Mr. Nathoo Lalwani, Advocate for the applicant.

1. Urgency Granted.

2 to 5. Through this application, the applicant has assailed the order dated 16.03.2026, passed by the learned Additional Sessions Judge-II/Ex officio Justice of Peace, Sukkur, whereby the application of respondent No.3 was allowed with directions to the concerned S.H.O to record the statement of the applicant and, if a cognizable offence is made out, to register an FIR.

The crux of the case is that Respondent No.3 had filed an application before the learned Justice of Peace, alleging that his family members sustained injuries at the hands of the proposed accused (present applicant), and that medical certificates had also been issued in support thereof. It was further alleged that despite approaching the concerned police, the FIR was not registered. Consequently, the learned Justice of Peace entertained the application and passed the order, which is now under challenge by the applicant, being one of the proposed accused.

Learned counsel for the applicant contends that no such incident had taken place and that the application filed by respondent No.3 was frivolous and based on false allegations. It is further argued that the medical certificate of the alleged injured person is self-contradictory. Learned counsel also submits that an FIR had already been lodged by the present applicant against respondent No.3, and on that basis, the impugned order is liable to be set aside.

Heard. Record perused.

Perusal of the record reflects that respondent No.3 has narrated an occurrence alleging that injuries were caused by the proposed accused, resulting in harm to two persons, and on that basis filed the application, which was allowed by the learned Justice of Peace. It is settled law that the Justice of Peace is not required to conduct a detailed or meticulous inquiry into the merits of the case, nor to record findings regarding the truth or falsity of the allegations. The scope of jurisdiction is limited to examining whether, from the facts stated in the application, a cognizable offence is disclosed. If the allegations prima facie constitute a cognizable offence, the Justice of Peace is justified in issuing directions to the police for recording the statement and proceeding in accordance with Section 154 Cr.P.C. In this regard, reliance is placed on the case of *Syed Qambar Ali Shah vs. Province of Sindh and others* (2024 SCMR 1123).

In view of the foregoing, no illegality or irregularity has been pointed out in the impugned order passed by the learned Ex officio Justice of Peace. Consequently, there is no justification to interfere with the same. Accordingly, the instant application, being devoid of merit, is dismissed.

J U D G E