

**ORDER SHEET**

**IN THE HIGH COURT OF SINDH BENCH AT SUKKUR**

*Constitutional Petition No.D-682 of 2026*

**[Saeed Ahmed Jamali vs. Province of Sindh and others]**

Date

Order with the signature of the Judges

***Before:-***

***Mr. Justice Amjad Ali Bohio.***

***Mr. Justice Ali Haider 'Ada'***

1. *For orders on office objections.*
2. *For hearing of CMA No. 2667/2026 (S/A)*
3. *For the hearing of the main case.*

**22.04.2026.**

Mr. Aijaz Ali Bhatti, Advocate for Petitioner.

Mr. Saeed Ahmed Wassan, Assistant Advocate General.

Mr. Gulzar Ahmed Malano, Assistant Prosecutor General along with Captain Retired Muhammad Shoaib Ameen, ASP City Sukkur, (Enquiry officer), Atta Muhammad Soomro, DSP (legal) on behalf of DIGP Sukkur, SIP Dhani Bux Bhutto on behalf of SSP Sukkur, ASI Allah Din Sawand, Investigation Officer of FIR No. 81 of 2026 Police Station Rohri.

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Mr. Abdul Qadeer Khoso, Advocate, files Vakalatnama on behalf of Respondents No.6 to 9, which is taken on record. He has also produced F.I.R. No.44 of 2026, lodged by the present petitioner against the brothers of his ex-wife (respondent No.6), which was subsequently disposed of under Section 169, Cr.P.C, after arrest of respondent No.7. The compliance report submitted on behalf of DIGP Sukkur, as well as the report submitted by SSP Sukkur, are also taken on record. The Investigating Officer of F.I.R. No.81 of 2026 is present in Court. Respondent No.9, sip Miss Shabana Yasmeen, is also present. The Enquiry Officer, appointed in pursuance of an earlier Court order, is in attendance.

During the course of arguments, the Enquiry Officer, in compliance with the order dated 15.04.2026, submitted that a thorough and detailed enquiry was conducted, wherein respondent No.9, Lady S.I.P. Shabana Yasmeen, was found not to have misused

her official authority. It has further been reported that F.I.R. No.81 of 2026 is still under investigation, and no direct or circumstantial evidence has surfaced to suggest that the said F.I.R., lodged by respondent No.6 against the petitioner, was influenced or manipulated by respondent No.9.

Learned counsel for respondents No.6 to 9 contended that the petitioner has approached this Court with unclean hands and has deliberately concealed material facts. It is pointed out that before registration of F.I.R. No.81 of 2026, the petitioner himself had implicated the brother of respondent No.6 (his ex-wife) in a case in Balochistan with mala fide intent to harass, as a result of which the family of respondent No.6 suffered grave hardship. The said case ultimately culminated in disposal under Section 169, Cr.P.C. When confronted with this aspect, both the petitioner and his learned counsel failed to furnish any satisfactory explanation regarding the non-disclosure of these material facts before this Court.

This Court is of the considered view that the present petition is founded upon concealment of material facts and is, therefore, wholly misconceived. It is a settled principle of law that a litigant seeking equitable relief must approach the Court with clean hands and disclose all material facts. The petitioner has manifestly failed to discharge this obligation. Such deliberate concealment, coupled with misleading and contradictory pleadings, disentitles the petitioner from any discretionary relief. The conduct of the petitioner clearly reflects an attempt to mislead the Court and to obtain relief by suppressing material information, which is impermissible in law. In this regard, reliance is placed upon *Arshad Ali v. Federation of Pakistan* (2026 MLD 387 [DB-Sindh]) and *Muhammad Hassan Mustafa (Late) v. OGDCL* (2025 PLC (CS) 1528 [DB-Islamabad]).

Moreover, it is equally well-settled that the investigation of a criminal case falls exclusively within the domain of the Investigating Agency, and no direction can ordinarily be issued by this Court to

conduct investigation in a particular manner or on specific lines. The Investigating Officer, who is present in Court, is directed to proceed strictly in accordance with the law, independently and without any external influence.

In view of the above facts and circumstances, and particularly when the allegations leveled against respondent No.9 have been found to be incorrect upon inquiry, no case is made out for interference in the ongoing investigation or for quashment of the F.I.R., especially when alternate remedies are available to the petitioner under the law.

For the foregoing reasons, the instant petition, being misconceived, concocted, and based on concealment of material facts, is hereby dismissed.

*JUDGE*

*JUDGE*