

**IN THE HIGH COURT OF SINDH, CIRCUIT COURT,  
HYDERABAD**

**Criminal Miscellaneous Application No.S-115 of 2026**

[Mir Muhammad v. SSP District Jamshoro & others]

Applicant: Mir Muhammad through Mr.Muhammad Sachal R.Awan, Advocate.

Respondents: SSP Jamshoro and others through Mr.Irfan Ali Talpur D.P.G. Sindh.  
Mr. Irfan Khaskheli, Advocate for respondents No.4&5.

Date of Hearing: 20.04.2026

Date of Order: 20.04.2026

**ORDER**

**RIAZAT ALI SAHAR, J:** - Through this instant Criminal Miscellaneous Application under Section 561-A Cr.P.C., the applicants have invoked the inherent jurisdiction of this Court, seeking redress against the order dated 14.02.2026 whereby Criminal Miscellaneous Application No.206/2026 filed by applicant in terms of section 22-A & B Cr.P.C. was dismissed by learned Sessions Judge/Ex-Officio Justice of Peace, Jamshoro.

**2.** The background of the case is that the applicant alleged that on 23.01.2026, certain police officials forcibly entered his bungalow during late night hours without lawful authority, caused damage to property, harassed family members and illegally seized household items. The applicant further contended that despite approaching the local police station and higher authorities, no FIR was registered due to alleged influence of the nominated police officers. The applicant also relied upon certain video clips and photographs to substantiate his claim. However, reports submitted by the S.P Complaint Cell and SHO concerned categorically denied the occurrence of any such raid and asserted that the applicant's family has a history of criminal involvement. The learned Justice of Peace, after examining the material on record, dismissed the application on the ground that the allegations were unsubstantiated and lacked independent corroboration.

**3.** Learned counsel for the applicant contended that the impugned order is illegal, arbitrary and contrary to settled principles of law. He contended that the learned Ex-officio Justice of Peace failed to exercise jurisdiction vested in him by law and ignored material evidence including video recordings. He further contended that the police officials, being influential, deliberately avoided registration of FIR, thereby violating fundamental rights of the applicant. Learned counsel further contended that the Justice of Peace was required to pass directions under section 154 Cr.P.C. for registration of FIR instead of dismissing the application. He also contended that refusal to register FIR in cognizable offences amounts to miscarriage of justice.

**4.** Learned Deputy Prosecutor General Sindh opposed the application and supported the impugned order. He contended that the learned Justice of Peace has rightly appreciated the material available on record and found no substance in the allegations. He further contended that no independent evidence was produced by the applicant to establish commission of any cognizable offence. The official reports submitted by police authorities clearly negated the applicant's version. He further contended that the inherent jurisdiction under section 561-A Cr.P.C. cannot be invoked to re-appraise facts where no illegality or jurisdictional defect exists.

**5.** In addition, learned counsel for respondents No.4 and 5 contended that the application is frivolous and has been filed to pressurize the police. He contended that no unlawful raid was ever conducted and the allegations are baseless, warranting dismissal of the application.

**6.** After careful consideration of the record, submissions advanced by learned counsel for the parties and the impugned order, it appears that the present application has been filed under section 561-A Cr.P.C. seeking intervention of this Court in the order passed by the learned Sessions Judge/Ex-officio Justice of Peace, Jamshoro. The scope of inherent jurisdiction under section 561-A Cr.P.C. is well settled; it is to be exercised sparingly, only to prevent

abuse of process of law or to secure the ends of justice and not to substitute findings of fact recorded by a competent forum unless the same suffer from patent illegality, arbitrariness, or jurisdictional defect.

7. In the instant case, the learned Justice of Peace has passed a well-reasoned order after considering the version of the applicant as well as reports submitted by the police authorities. The applicant alleged a forcible raid and illegal acts by police officials; however, the record reflects that such allegations were categorically denied by the concerned SHO and S.P Complaint Cell. No independent, credible, or legally admissible material was brought on record by the applicant to substantiate his claim. Mere production of unverified clips or self-serving statements does not constitute sufficient ground to direct registration of FIR, particularly when contradicted by official record.

8. It is also significant that the learned Justice of Peace has observed that the applicant's allegations are lacking *prima facie* substance. The jurisdiction of the Justice of Peace under sections 22-A and 22-B Cr.P.C. is administrative in nature and directions for registration of FIR can only be issued when a cognizable offence is clearly made out. In absence of such satisfaction, refusal to issue directions cannot be termed as illegal or without jurisdiction. Furthermore, the material placed on record reveals that the applicant's father, Gul Muhammad Brohi, is involved in as many as 21 criminal cases including a murder case. The applicant's brother Imdad is involved in multiple cases relating to dacoity, while Zafar and Taqqi are absconders in a criminal case registered at P.S Jamshoro. Another brother, Ali Gul, is also involved in numerous criminal cases pertaining to dacoity and narcotics. This criminal background of the applicant's immediate family lends credence to the stance of the police that the application was filed with ulterior motives to pressurize law enforcement agencies and obstruct lawful proceedings.

9. It is worthwhile to note that the forum under section 22-A Cr.P.C. is not required to conduct a roving inquiry or evaluate disputed questions of fact in depth. No violation of any settled principle of law or judgment of superior courts has been demonstrated. The impugned order does not reflect any perversity, illegality, or misapplication of law warranting interference by this Court in exercise of inherent jurisdiction. Moreover, the conduct of the applicant indicates that the present proceedings have been initiated to create harassment for police officials and to shield family members from legal consequences arising out of their alleged criminal activities. Courts of law cannot be used as a tool for such collateral purposes. Entertaining such applications would not only undermine the authority of law enforcement agencies but also amount to abuse of process of Court.

10. For what has been discussed above, I find that the criminal miscellaneous application is misconceived, devoid of merits and does not call for any interference with the impugned order. The applicant has failed to point out any legal infirmity or jurisdictional error in the order dated 14.02.2026 passed by the learned Sessions Judge/Ex-officio Justice of Peace, Jamshoro. Consequently, the instant Criminal Miscellaneous Application is **dismissed**.

**JUDGE**

**\*Abdullahchanna/PS\***