

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

***Constitutional Petition No. D – 295 of 2026.***  
***(Najamuddin Qureshi vs Federation of Pakistan and others))***

**Hearing of the case (Priority)**

1. For orders on office objection at flag 'A'
2. For hearing of CMA No.1063/2026 (S/A)
3. For the hearing of the main case

**07.05.2026.**

Syed Zafar Ali Shah Bukhari, Advocate for the Petitioner.

Syed Naveed Ahmed Shah, Deputy Attorney General along with Sohail Ahmed, Sub-Inspector, Composite FIA Circle Sukkur.

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Through this petition, the petitioner has assailed the notice issued by Respondent No.5,/ SIP FIA Composite Circle, Sukkur, whereby the petitioner has been called upon to join the Enquiry proceedings.

Learned counsel for the petitioner submits that, on the complaint of Respondent No.6, the FIA initiated enquiry proceedings; however, according to him, the petitioner is himself the complainant against Respondent No.6, and several other individuals have also lodged complaints against the said respondent. It is contended that the issuance of the impugned notice is an unnecessary and futile exercise, lacking lawful justification.

Respondent No.5 is present and has produced the complaint of Respondent No.6 along with relevant internal documents, including a verification report, which prima facie reflect that the matter is still under enquiry. It is further submitted that the petitioner shall be afforded full opportunity to submit his defence and evidence before him, during the course of inquiry proceedings.

Heard the learned counsel for the parties and perused the material available on record.

From the perusal of the record, it transpires that the matter is still at the stage of enquiry and no final finding has yet been recorded. The petitioner has not been able to demonstrate, at this preliminary stage, any mala fide, ulterior motive, or abuse of process on the part of Respondent No.5 in initiating or proceeding with the enquiry at the behest of Respondent No.6. Mere assertion that the petitioner is also a complainant in other proceedings does not, by itself, render the enquiry proceedings unlawful or without jurisdiction.

It is a settled principle of law that lawful enquiry or investigation cannot be stifled or restrained at its inception unless it is shown that the same has been initiated with mala fide intent, without jurisdiction, or in violation of any statutory provision. In the present case, no such exceptional circumstance has been made out which may warrant interference by this Court in the exercise of its constitutional jurisdiction.

It is further observed that any person having a defence on merits is always at liberty to place the same before the Enquiry Officer during the course of enquiry proceedings, who is under a legal obligation to consider the same in accordance with law.

In view of the foregoing discussion, since no mala fide or illegality has been established and the matter is still at the stage of enquiry, the instant constitutional petition is found to be without merit and is accordingly dismissed along with the listed application.

**JUDGE**

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