

ORDER SHEET

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

Criminal Misc. Application No. S- 600 of 2026
(Rashid Ali Mochi Versus Mst. Hazooran & others)

Date of hearing	Order with signature of Judge
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- 1. For on MA No. 5626/2026 (Stay).
- 2. For hearing of main case.

06-10-2026

Mr. Abdul Ghani Kalhor, Advocate for the applicant.
Mr. Asadullah Soomro, advocate for respondent No.1.
Mr. Muhammad Raza Katohar, Deputy P.G for the State.

Suresh Kumar,J. Through instant Crl Misc. Application under section 561-A Cr.P.C, the applicant has impugned the order dated 29-08-2026 passed by learned Additional Sessions Judge/Ex-officio Justice of Peace, Ubauro in Cr. Misc. Application No. 1736/2026 Re. Mst. Hazooran Vs SHO PS Ubauro & others, thereby allowed the application under section 22-A-6 (i) Cr.P.C filed by the respondent No. 1 against the applicant for registration of FIR.

2. Succinctly, the facts of the case are that on 18-08-2026, the applicant, along with her sons Asghar Ali and Muneer Ahmed, was going to Reti on a motorcycle for their personal work. At about 11:45 a.m., when they reached near Sonan Shah Bridge, the accused Hazoor Bux, armed with a pistol, along with Lal Bux, Roshan, Rashid, Ubedullah with lathis, and Abdullah with a hatchet, intercepted the applicant's party. At the instigation of the accused Hazoor Bux, the accused Abdullah, Rashid, and Ubedullah inflicted hatchet and lathi blows on Asghar Ali, the son of the applicant. The accused Hazoor Bux robbed Asghar Ali of his mobile phone, which was subsequently damaged by the proposed accused Lal

Bux. In response, the applicant's party raised cries, prompting all the accused persons to flee the scene. The applicant/respondent No. 1 then lodged an NC report and subsequently filed an application for the registration of an FIR.

3. I have heard learned counsel for applicant as well as learned DPG for the State assisted by learned counsel for the respondent No.1.

4. Learned counsel for applicant has contended that impugned order passed by learned Additional Sessions Judge/Ex-Officio Justice of Peace Ubauro is neither legal nor proper in the eyes of law. He has further contended that there are contradictions between the contents of NC report well as in the application u/s 22-A (6) (i) Cr.P.C; therefore, the impugned order is liable to be set aside.

5. Learned Deputy P.G as well as learned counsel for the respondent No. 1 have supported the impugned order.

6. Having given due consideration to the arguments advanced by counsel for parties and perused impugned order. From the perusal of the impugned order it reveals that learned Additional Sessions Judge/Ex-Officio Justice of Peace Uburo has allowed the application with following observation.

“From the perusal of record it reveals that the police report has not denied the allegation. From the perusal of contents of the instant application, it transpires that cognizable offence has been made out; therefore, SHO PS Ubauro is directed to record statement of petition at her verbatim and if cognizable offence is made out, then incorporate the information into the relevant register u/s 154 Cr.P.C. This Criminal miscellaneous application is hereby allowed accordingly”.

7. From a bare reading of the above order, it is evident that the learned Ex-Officio Justice of Peace has allowed the applicant's request on

the grounds that a cognizable offence has been established from the contents of the application. The respondent No. 1 alleged in the application that the proposed accused caused hatchet and lathi blows to Asghar Ali, the son of respondent No. 1, and thereafter robbed him of his mobile phone, which was also damaged by the proposed accused. The version of respondent No. 1/complainant is supported by medical evidence as well as the police report; therefore, prima facie, a cognizable offence is made out against the applicant/proposed accused. The learned counsel for the applicant has relied upon contradictions that cannot be considered at this stage; however, the learned counsel has failed to point out any illegality in the impugned order. It is well-settled law that the police are bound to register the FIR if a cognizable offence is made out. The report submitted by the DSP Complaint Redressal Center, Ghotki, supports the alleged incident, and a medical certificate is also available on record; therefore, the impugned order passed by the learned Ex-Officio Justice of Peace, Ubauro, requires no interference.

8. For the reasons above, I am of the considered view that instant CrI. Misc. Application filed by the applicant merits no consideration, which is hereby dismissed and the impugned order passed by learned Ex-Officio Justice of Peace Ubauro is maintained.

J U D G E

