

HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

C.P. No.D-1760 of 2026

[Noor Ahmed @ Noor Asif vs. Province of Sindh and others]

Before:

JUSTICE ADNAN-UL-KARIM MEMON

JUSTICE MUHAMMAD JAFFER RAZA

Petitioner:	By Mr. Aroon Kumar advocate
Respondents:	By Mr. Rafique Ahmed Dahri Additional A.G Sindh a/w SIP Faheem Hussain and ASI Sadam Jokhio
Date of hearing	20.10.2026
Date of Decision	20.10.2026

O R D E R

ADNAN-UL-KARIM MEMON J:- The petitioner seeks quashment of FIR No.100/2026, registered at Police Station Johi, District Dadu, under Sections 506/2, 440, 114, 147, 148, 149, 504, 337-A(i), 337-F(i), 337-L(ii) and 337-F(iii) PPC, pursuant to the order dated 18.08.2026 passed by the learned Ex-Officio Justice of Peace in Crl. Misc. Application No.1877/2026. The petitioner contends that the impugned FIR is mala fide, fabricated and a counterblast to FIR No.53/2026 under Section 377-B PPC, lodged by the complainant's daughter against him.

2. The learned counsel for the petitioner asserts that the complainant initially reported an incident involving unknown persons through Roznamcha Entry No.02 dated 22.07.2026 and subsequently implicated him with ulterior motives. He further claims that CCTV footage establishes his presence at Professor Noor Asif Academy at the time of the alleged occurrence and that the complainant's version contains material contradictions regarding the alleged motive and timing. The petitioner also challenges the medical certificate for want of the Medical Superintendent's countersignature and alleges that the complainant approached the learned Justice of Peace without exhausting the prescribed police remedies. Relying upon the judgment reported as PLD 2025 Supreme Court 254, he seeks quashment of the impugned FIR and consequential proceedings as an abuse of the process of law and violation of his fundamental rights.

3. Learned AAG submits that the police are bound to provide protection to the petitioner in accordance with law and that no unlawful harassment shall be permitted. He added that as per the report of SHO, P.S. Johi, the petitioner is challaned in FIR No.53/2026 under Section 377-B PPC and FIR No.100/2026

under Sections 506/2, 440, 504, 114, 337-A(i), 337-F(i), 337-F(iii) and 337-L(ii) PPC, and final reports have been submitted before the competent court; accused Noor Ahmed alias Noor Asif is on bail.

4. We have heard learned counsel for the petitioner and learned AAG and have perused the available record.

5. The petitioner seeks quashment of the impugned FIR on the grounds of mala fide, material contradictions, alleged fabrication and its being a counterblast to an earlier FIR registered against him. However, the allegations regarding the petitioner's presence at another place, the evidentiary value of CCTV footage, the authenticity of the medical certificate and the alleged contradictions in the complainant's version involve disputed questions of fact requiring appreciation of evidence by the competent trial Court.

6. The mere registration of an earlier FIR against the petitioner does not, by itself, establish that the subsequent FIR is false or malicious.

7. Since the police have submitted final reports in both cases, the matter is to be examined by the competent Court in accordance with law.

8. In the absence of any patent illegality, jurisdictional defect or other exceptional circumstance warranting interference under Article 199 of the Constitution, no case for quashment of the impugned FIR is made out at this stage.

9. Accordingly, the petition is disposed of , along with pending applications, if any. However, the petitioner shall be at liberty to raise all factual and legal pleas before the competent trial Court, which shall decide the same independently, strictly in accordance with law and without being influenced by any observation made herein.

JUDGE

JUDGE

Sajjad Ali Jessar