

HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

C.P. No.D-2082 of 2026

[Mst. Qurat ul Ain vs. Province of Sindh and others]

Before:

JUSTICE ADNAN-UL-KARIM MEMON

JUSTICE MUHAMMAD JAFFER RAZA

Petitioner:	Through Mr. Zain-ul-Abdin Sahito advocate
Respondents:	Through Mr. Rafique Ahmed Dahri Additional A.G Sindh a/w 1 st IO Inspector Maqsood Ahmed, 2 nd IO Inspector Shahbaz Qazi, Inspector Manzoor Ali, Inspector Fazal Haq Leghari, SIP Imtiaz Ahmed Abbasi and SIP Faheem Hussain
Date of hearing	20.10.2026
Date of Decision	20.10.2026

O R D E R

ADNAN-UL-KARIM MEMON J.- Petitioner seeks a fair departmental inquiry against the concerned officials and transfer of further investigation to a competent and impartial police officer from outside Hyderabad District.

2. The petitioner, a widow and mother of three children, is the complainant in FIR No.211/2026 dated 10.07.2026, registered under Section 489-F PPC at Police Station Hussainabad, Hyderabad, against Fahad Manzoor, alleging an outstanding liability of Rs.61,500,000/- against two cheques, one of which was dishonoured. She contends that despite furnishing bank statements, electronic agreements, WhatsApp chats, recordings and other supporting documents, the Investigating Officer recommended disposal of the FIR in “C” Class without properly examining her evidence. The Inquiry Committee constituted by the SSP Hyderabad relied upon the accused’s material without notice to or hearing the petitioner and recommended cancellation of the FIR. However, vide order dated 21.09.2026, the learned Civil Judge and Judicial Magistrate-IX, Hyderabad, declined to accept the police report and directed fresh, impartial investigation.

3. Learned counsel for the petitioner alleges bias on the part of police officials, including reliance upon an allegedly forged Nikahnama to portray the matter as a matrimonial dispute. He added that despite her applications seeking departmental inquiries against the concerned officials, no effective action was taken. She apprehends that investigation by an officer within Hyderabad District may be influenced by the same senior officers whose conduct is questioned. Accordingly, she seeks a fair departmental inquiry against the concerned officials and transfer of further investigation to a competent and impartial police officer from outside Hyderabad District.

4. Learned AAG submits that FIR No. 211/2026 under Section 489-F PPC was registered at Police Station Hussainabad, Hyderabad, regarding dishonoured cheques amounting to Rs.50 million. The Investigation Officer recommended cancellation of the FIR under Class “C”; however, the learned CJ & JM-IX, Hyderabad, declined the recommendation and ordered further investigation vide order dated 21.09.2026. Accordingly, with the approval of the competent authority, further investigation has been entrusted to Inspector Shehzad Raza Qazi vide order dated 09.10.2026, which is presently in progress. It is further submitted that the Inquiry Committee conducted an administrative fact-finding exercise, separate from the criminal investigation, and the allegations of mala fide or partiality against the police authorities are denied. Learned AAG assures that the investigation shall be conducted fairly, impartially, and strictly in accordance with law, and that the respondents shall comply with any order passed by this Court.

5. In view of the submissions made by learned counsel for the petitioner and learned AAG, and considering that learned Civil Judge and Judicial Magistrate-IX, Hyderabad, has already declined the recommendation for disposal of the FIR in “C” Class and directed further investigation vide order dated 21.09.2026, however, we deem it appropriate that the competent authority shall ensure that the investigation is conducted fairly, impartially, and free from any apprehension of local influence.

6. Accordingly, without touching the merits of the case, the DIGP Hyderabad Range is directed to transfer the further investigation of FIR No.211/2026, registered under Section 489-F PPC at Police Station Hussainabad, Hyderabad, to a competent and impartial police officer of another district, having no connection with the previous investigation. The officer so nominated shall conduct the investigation strictly in accordance with law, examine the available evidence of both sides, and submit the final report before the competent court within one month from the date of receipt of this order.

7. The DIGP Hyderabad Range shall ensure compliance with these directions. Needless to observe that the observations made herein shall not prejudice the merits of the case or the discretion of the competent court. The petition stands disposed of in the above terms.

JUDGE

JUDGE