

HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

C.P. No.S-305 of 2026

[Sheryar vs. Province of Sindh and others]

Petitioner:	Through Mr. Raza Ali Halepoto advocate
Official respondents:	Through Mr. Altaf Hussain Khokhar Deputy Prosecutor General a/w Inspector Manzoor Ali on behalf of SSP Hyderabad
Private respondents:	None present
Date of hearing	29.10.2026
Date of Decision	29.10.2026

ORDER

ADNAN-UL-KARIM MEMON J:- The petitioner has filed this petition under Article 199 of the Constitution of Pakistan 1973 with the following prayer(s):-

- (a) *Direct official respondent to arrest the accused nominate in crime No 82/2026.*
- (b) *Direct the official respondents to provide protection to the petitioner and his family members against any harassment, threats, coercion, or illegal acts of the accused persons;*
- (c) *Declare the inaction and failure of respondent Nos.6 and 7 as illegal, unlawful, mala fide and without lawful authority; and*
- (d) *Grant any other relief deemed just, proper, and equitable in the circumstances of the case.*

2. Counsel for the petitioner submits that the petitioner is an advocate by profession and he on the basis of trust and friendly relations invested an amount of Rs.10 million in the Battery Business of respondents No.8 to 10 operating under the name "Bismillah Battery," after selling his wife's gold on the assurance of safe investment and guaranteed return. He contends that in acknowledgment thereof, respondent No.8 executed agreements and issued four cheques of Rs.2.5 million each; however, two cheques presented for encashment were dishonoured, clearly revealing the fraudulent intention of the accused persons. He further contends that thereafter, the private respondents absconded, switched off their mobile phones and avoided repayment, compelling the petitioner to lodge FIR No.82 of 2026 under Section 489-F PPC at P.S Cantonment Hyderabad. Counsel further contends that the accused are habitual offenders who have similarly defrauded several citizens, regarding which public protests and press reports are also available on record. He maintains that despite availability of documentary evidence and repeated

approaches, the police authorities failed to arrest the accused persons and conduct fair and effective proceedings, thereby extending unlawful protection to them, hence the petitioner and his family are living under constant fear and apprehension. The petitioner, therefore, seeks directions for fair and effective legal action, including arrest and prosecution of respondents No.8 to 10 in accordance with law and for ensuring protection of his constitutional and fundamental rights through impartial investigation and due process.

3. Learned Deputy Prosecutor General files progress report on behalf of the SSP Hyderabad and states that in compliance of the directions issued by this Court one of the nominated accused persons namely Syed Wajid Hussain [respondent No.8] has been arrested in the subject crime and had been produced before the competent Court of law. As far as other nominated accused persons are concerned, the Focal Person of SSP Hyderabad [*Inspector Manzoor Ali*], present, undertakes that said accused persons [respondents No.9 and 10] will be arrested and produced before the competent Court in due course or law to face the trial.

4. Counsel for the petitioner expressed satisfaction and seeks disposal of the petition in terms of the undertaking furnished on behalf of the SSP Hyderabad through his focal person.

5. In view of the above, without touching merits, this petition is disposed of in the terms that SSP Hyderabad shall take all possible efforts to comply the orders of the trial Court to trace the absconders in criminal case and produce them before the competent Court within due course law.

JUDGE