IN THE HIGH COURT OF SINDH AT KARACHI

Cr. Miscellaneous Application No.17 of 2026

Applicant	:	Mst. Muzamil Sajid w/o Muhamamd Sajid Raza *Through* Mr. Muhammad Athar Ismail, Advocate.
Respondents	:	The State *Through* Mr. Muhammad Mohsin Mangi, A.P.G. Sindh duly assisted by P.I. Qambar Abbas, P.S. Azizabad, Karachi.
Date of hearing	:	06.11.2026
Date of order	:	06.11.2026

O R D E R

KHALID HUSSAIN SHAHANI, J. **-** Applicant Mst. Muzammil Sajid invokes the inherent jurisdiction of this court, assailing the legality and propriety of the order dated 19.12.2025 passed by the learned IInd Additional Sessions Judge / Ex-Officio Justice of Peace, Karachi Central, in Criminal Miscellaneous Petition No. 3545 of 2025, whereby her application under Sections 22-A and 22-B Cr.P.C. seeking directions for registration of an FIR against the private Respondents/Proposed Accused was declined.

2. Briefly stated, the Applicant's grievance stems from a financial transaction dating back to 02.11.2017, whereby her late father, Muhammad Anwar Saleemi, allegedly advanced a sum of 85,000 Qatari Riyals to Respondent No. 4 (Shahid Shabbir) for business purposes pursuant to a written agreement. Following the demise of her father on 24.11.2020, Respondent No. 4 allegedly executed an affidavit/undertaking dated 20.12.2020 acknowledging the said liability and promising repayment on or before 25.08.2021. It is alleged that upon default in repayment and persistent demands, when the Applicant and her husband visited the residence of the private Respondents on 07.12.2025, both private Respondents criminally intimidated them and extended threats of dire consequences, prompting the Applicant to approach the police and subsequently the learned Ex-Officio Justice of Peace.

3. Learned counsel for the Applicant has contended at the bar that the impugned order suffers from misreading and non-reading of material on record. He argued that the execution of the written undertaking dated 20.12.2020 fixing a specific repayment date, coupled with the private Respondents' admission of receiving the funds during the police inquiry

and in their legal notice, establishes a clear *prima facie* liability, while the subsequent life threats issued on 07.12.2025 independently disclose a cognizable offence warranting mandatory registration of an FIR under Section 154 Cr.P.C.

4. Conversely, learned counsel for the private Respondents as well as the learned Assistant Prosecutor General have supported the impugned order, submitting that the dispute is purely civil and commercial in nature arising out of an old business arrangement from 2017, and that the allegation of criminal intimidation has been engineered merely to convert a civil recovery claim into a criminal prosecution.

5. I have heard the learned counsel for the respective parties as well as the learned APG and have meticulously perused the entire material placed on record, including the written undertaking dated 20.12.2020, the police inquiry report, and the impugned order dated 19.12.2025.

6. A bare perusal of the Applicant's own pleadings and annexed documents makes it abundantly clear that the foundational controversy between the parties revolves around the recovery of 85,000 Qatari Riyals arising out of a commercial/loan arrangement entered into by the Applicant's late father in the year 2017, followed by an undertaking in December 2020 with a stipulated repayment date of 25.08.2021. Notably, for more than four years after the alleged default in August 2021, no criminal action was initiated. While the private Respondents admit receipt of the funds, they assert that the amount was invested on a profit-and-loss sharing basis in a business venture in Qatar that suffered substantial financial losses, a stance that raises quintessential questions of civil liability, contractual interpretation, and rendition of accounts falling exclusively within the domain of a Civil Court of competent jurisdiction.

7. As regards the allegation of criminal intimidation on 07.12.2025, it is by now settled law that an Ex-Officio Justice of Peace, while exercising administrative/quasi-judicial jurisdiction under Section 22-A(6) Cr.P.C., is not expected to act mechanically as a post office to order the registration of an FIR whenever a complainant appends a vague allegation of life threats to an otherwise civil recovery dispute. The record reflects that the alleged incident occurred inside the private Respondents' residence without independent witness, medical report, or contemporaneous corroborative material, and was unequivocally denied during the police inquiry. Moreover, an offence under Section 506 (Part-I) PPC is non-cognizable in nature, and a bald, unsubstantiated assertion of threats

visibly intertwined with a monetary demand cannot be permitted to be weaponized to exert coercive pressure for the recovery of money.

8. Even otherwise, the learned Ex-Officio Justice of Peace has already safeguarded the Applicant's right to legal protection by directing the concerned SHO to remain vigilant, extend protective assistance if any genuine apprehension of harm arises while pursuing civil remedies, and act strictly in accordance with law should any fresh cognizable offence be reported. Furthermore, if the Applicant still feels aggrieved, she retains the efficacious statutory remedy of instituting a direct complaint under Section 200 Cr.P.C. before the competent Magistrate, alongside a civil suit for recovery.

9. Inherent jurisdiction under Section 561-A Cr.P.C. is extraordinary in nature and is intended to prevent abuse of the process of the Court, not to facilitate it by giving a criminal complexion to a predominantly civil dispute. The impugned order dated 19.12.2025 passed by the learned IInd Additional Sessions Judge / Ex-Officio Justice of Peace, Karachi Central, is well-reasoned, balanced, and entirely in consonance with settled judicial precedents, calling for no interference by this Court.

10. Consequently, the instant Criminal Miscellaneous Application, being devoid of merit, is hereby dismissed along with all pending application(s).

J U D G E