

ORDER SHEET
THE HIGH COURT OF SINDH, CIRCUIT COURT LARKANO
Cr. Misc. Appln. No. S-374 of 2025

Date	Orders with signature of Judge
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1. For orders on office objection.
2. For orders on maintainability of main case.

30-03-2026

Mr. Muhammad Ibrahim Lashari, advocate for the applicant
Mr. Sardar Ali Solangi, D.P.G.

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It transpires from the record that earlier the same impugned order had been assailed by the applicant through Criminal Misc. Application No. S-323 of 2025, which was disposed of vide order dated 26.09.2025. The said order is reproduced as under:—

“Learned counsel for the applicant, after arguing the matter at some length, does not press this application and intends to file direct complaint before competent court of law in accordance with law. Order accordingly.”

When confronted with the above order, learned counsel for the applicant has failed to offer any plausible explanation as to how the present application, challenging the same impugned order, is maintainable.

It is settled law that once a matter has been withdrawn or not pressed, without seeking permission to file a fresh application on the same cause of action, a second application on the same subject matter is not maintainable, as it would amount to abuse of the process of the Court. The principle of finality and judicial discipline also bars repeated challenges to the same order through successive proceedings.

In the present case, the earlier application having been consciously not pressed, the applicant cannot be permitted to reagitate the same issue through the instant application, particularly in the absence of any new ground or change in circumstances.

Accordingly, the instant Criminal Miscellaneous Application, being not maintainable, is hereby dismissed.

Judge

Abdul Salam/P.A