

HIGH COURT OF SINDH CIRCUIT COURT, MIRPURKHAS

C.P No.D-999 of 2024

[Inamuddin vs. Province of Sindh and Others]

Before:

JUSTICE ADNAN-UL-KARIM MEMON
JUSTICE RIAZAT ALI SAHAR

Nemo for the petitioner

Mr. Muhammad Sharif Solangi, Assistant A.G. Sindh a/w DSP CTD
MPK Zulfiqar Ali Lashari and DSP Sindhri Aamir Bhatti

Date of hearing & decision: 19.11.2025

ORDER

ADNAN-UL-KARIM MEMON J.- The petitioner through this Constitutional Petition seeks directions to the respondents to appoint him as Police Constable in light of the recommendation dated 25.4.2017 and not reject his appointment based on his prior involvement in FIR No. 207/2010, in which he stands acquitted vide order dated 9.8.2014.

2. Petitioner present in person submits that he moved application for the post of Police Constable in CTD and RRF which were invited through NTS; that being fully eligible for the said post he was issued Test/Interview Slip No.71; that the petitioner duly appeared in the test and interview, successfully qualified on merit and his name was accordingly recommended vide letter dated 25.4.2017; that during verification SHO PS Satellite Town vide letter dated 9.5.2017 reported that the petitioner had previously been nominated in FIR No. 207/2010 under sections 302, 324 & 34 PPC. The petitioner immediately apprised the authorities that he had already been acquitted in the said matter on the basis of compromise, through an order dated 9.8.2014 passed by learned 1st Additional Sessions Judge, Mirpurkhas. Despite such acquittal and despite fulfillment of all requirements, the respondents have unlawfully withheld issuance of appointment order on mere apprehension, thereby subjecting the petitioner to serious prejudice; that the conduct of the respondents is tainted with malafide intent and discriminatory treatment, as similarly situated candidates have been favoured while the petitioner is being excluded without lawful justification. Being aggrieved by the violation of his fundamental rights, the petitioner seeks protection of this Hon'ble Court

under its constitutional jurisdiction in terms of Article 199 of the Constitution.

3. On the other hand, learned A.A.G submits that the matter of petitioner was placed before Sindh Police Recruitment Board (SPRB) in its meetings held on 2.4.2019 and 8.4.2019 under Agenda Item No.10, wherein the Board rejected his appointment due to involvement of Petitioner in FIR No.207 of 2010 as reported by SHO PS Satellite Town Mirpurkhas, though he was subsequently acquitted under Section 345(2) Cr.P.C. Learned A.A.G. lastly prays for dismissal of instant Petition in terms of the latest decision of Supreme Court.

4. In view of the submissions of both sides and keeping in view the judgment of Supreme Court on the point that an acquittal prior to initiation of recruitment process cannot lawfully be made a ground to non-suit a candidate. It is observed that the petitioner appears to have been erroneously deprived of appointment solely on the basis of an FIR in which he already stood acquitted well before commencement of recruitment proceedings. The petitioner has remained in litigation since the rejection of his candidature and his case therefore requires reconsideration in the interest of justice. Consequently, Inspector General of Police, Sindh, is directed to re-examine the case of the petitioner afresh, strictly in the light of the applicable principles laid down by the Supreme Court and in view of his prior acquittal and earlier recommendation on merit. The entire exercise shall be completed within a period of three (03) months. In case the petitioner for any administrative reasons cannot be accommodated against the post of Police Constable due to age factor, the competent authority shall consider adjusting him against any suitable ministerial post, keeping in view his earlier merit-based recommendation made by the Recruitment Committee.

5. This petition stands disposed of in the above terms.

JUDGE

JUDGE

Karar_Hussain/PS*