

HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

Present: Justice Jawad Akbar Sarwana

Crl. Misc: Application No.S-178 of 2026

Applicant : Sikandar Ali s/o Ghulam Ali Solangi
Through Mr.Karim Bux Rind, Advocate

Respondents No.1, 2 : Mr.Siraj Ahmed Bijarani, A.P.G
and 4

Respondents No.3 : Masood Alam Shar s/o Haji Muhammad Alam.
Nemo.

Date of hearing : 13.04.2026

Date of decision : 13.04.2026

ORDER

JAWAD AKBAR SARWANA, J: Applicant/proposed accused Sikandar Ali has challenged the impugned Order dated 03.04.2026, passed by the learned I-Additional Sessions Judge/Ex-Officio Justice of Peace, Shaheed Benazirabad, on the ground that the directions for recording statement were issued arbitrarily and without proper application of mind.

2. Heard learned counsel for applicant and learned A.P.G for State. I have examined the bundle of documents annexed with this application, including the cheque and the memo of dishonour issued by the concerned bank. Counsel contends that the document relied upon is not a return memo of a dishonoured cheque but merely an instruction of stop-payment. Be that as it may, such a determination does not fall within the remit of this Court while exercising jurisdiction under Sections 22-A and 22-B, Cr.P.C. Even otherwise, a mere direction to record the statement of the complainant does not ipso facto mandate the registration of an FIR (**2024 SCMR 1123**). The recording of such a statement only triggers certain procedural steps,

which may or may not culminate in the registration of an FIR, as explicated in paragraph-27 of **2024 SCMR 985**. I find no irregularity, arbitrariness or legal infirmity in the impugned order warranting interference by this Bench.

3. In view of the above circumstances, the Crl. Misc. Application stands **disposed of**.

JUDGE

AHSAN K. ABRO