

ORDER SHEET

**HIGH COURT OF SINDH CIRCUIT COURT,
HYDERABAD**

Cr. Misc. Application No.S-512 of 2026

DATE	ORDER WITH SIGNATURE OF JUDGE
1.	For orders on urgency application
2.	For orders on office objection(s)
3.	For orders on exemption application
4.	For hearing of main case
5.	For orders on stay application

11.08.2026
Mr. Muhammad Nawaz Panjotho, advocate for applicant

1. Urgency is granted.

2to5. Counsel for the applicant Ali Akbar S/o Muhammad Hassan is aggrieved by the Order dated 08.08.2026 passed by Additional Sessions Judge-II/Ex-Officio Justice of Peace Dadu, in criminal miscellaneous application No.1860 of 2026. Counsel contends that, according to the applicant, Qasim S/o Mian Bux Rodnani, the incident alleged took place on 02.07.2026, when he, along with his spouse, Mst. Janat Khatoon, minor sons Khalil Ahmed and Shoukat Ali were allegedly confronted by the proposed accused, as narrated in paragraph No.4 of the impugned Order. Counsel contends that prior to such event, as per documents available on record and per Family Suit No.459 of 2026, Mst. Janat had already applied for dissolution of marriage/khulla and was no longer residing with the applicant/Qasim.

I have heard the counsel and gone through the impugned Order dated 08.08.2026. The direction given by the Ex-Officio Justice of Peace was merely for recording of the statement of the applicant, and I cannot find any mandatory direction for registration of FIR. The matter is left for recording of statement, whereafter, the Criminal Procedure Code and Police Rules provide ample guidance to the police officer, to deal with whatever situation emerges after recording of such evidence, i.e. be it one leading to information making out a cognizable and/or a non-cognizable offences, depending on the crime, as well as to deal with a situation where false information has been provided.

In the circumstances, I do not find any ground to interfere with the impugned Order. However, it is hoped and expected that the police officer, so nominated, shall behave in a professional and neutral manner and shall not arrest any person, including the applicant, without availability of any

evidence of his capability. Further, the police official shall apply his own mind and act in accordance with law.

Given the above, no case is made out to set aside the impugned Order, and this criminal miscellaneous application is dismissed in limine in the above terms.

JUDGE

Sajjad Ali Jassar