

HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD

Crl. Misc: Application No.S-451 of 2025

DATE	ORDER WITH SIGNATURE OF JUDGE(S)
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1. For orders on office objection (s)
2. For hearing of main case
3. For hearing of M.A No.5972/2025

20.04.2026

Mr.Khalid Hussain Lakho, D.P.G for the State

Mr.Mashooque Ali, Advocate holding brief for Mr.Sulleman Dahri, learned counsel for the applicant, submits that he is authorized by his senior to proceed with the matter. He contends that the applicant-Niaz Ahmed is aggrieved by the impugned order dated 09.07.2025, passed by the II-Additional Sessions Judge/Ex-Officio Justice of Peace, Badin. He submits that there was no information before the Ex-Officio Justice of Pece, yet the Ex-Officio Justice of Peace has directed the recording of the complainant's statement. He submits that the cheque involved in the matter was a security cheque and therefore, no offence could be made out. He further submits that the entire amount has been paid and settled and thus no cause exists for directing the recording of any statement under Cr.P.C.

2. Learned D.P.G. contends that the cheque in question has been dishonoured and the cause against the proposed is at its inception stage. The case calls for the recording of statement.

3. Heard learned counsel for the applicant as well as the learned D.P.G. The scope of powers of the Ex-Officio Justice of Peace are limited. The impugned order dated 09.07.2025, has been passed on the basis of the police report submitted during proceedings under Sections 22-A and 22-B Cr.P.C and information available on record. The forum of the Ex-Officio Justice of Peace is not empowered to conduct either inquiry or investigation. I, do not find any ground to interfere with the impugned order. Mere recording of a statement

does not amount to the definite lodgment of an FIR (2024 SCMR 985 and 2024 SCMR 1123).

For the foregoing reasons, this Criminal Miscellaneous Application is **dismissed** along with the listed application(s).

JUDGE

AHSAN K. ABRO