

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR.
Criminal Miscellaneous Application No.S-352 of 2026.

DATE OF HEARING	ORDER WITH SIGNATURE OF JUDGE
-----------------	-------------------------------

Applicant: Muhammad Mashooque S/O Muhammad Bhagiyal by caste Solangi.
Through Mr. Ali Akbar Shar Advocate

The State: Through **Mr.Khalil Ahmed Maitlo**, D.PG.

Respondents: (4).Fayaz Hussian S/O Hussain Bux
(5). Ishtiaque Hussain S/O Hussain Bux
(6).Mazhar Ali S/O Khair Muhammad
(7). Kashif Ali S/O Muhammad Yakoob
(8).Muhammad Saleh S/O Khair Muhammad
(9).Azhar S/O Mazhar Ali All by caste Solangi,
(10).Shah Dost S/O Pandhi Khan Jaffri,
(11). Haneef S/O Gahno Khan Solangi.
Through Mr.Sheeraz Fazal Advocate.

Date of hearing & order: 20.10.2026.

Suresh Kumar J:- Through instant Criminal Miscellaneous Application the applicant Muhammad Mashooque Solangi has impugned the order dated 20.04.2026 passed by learned Civil Judge & Judicial Magistrate Sobhodero @ Ranipur, whereby he declined the report under section 173 Cr.P.C submitted by the I/O against the respondent No.4 to 11 in FIR bearing Crime No.10 /2025 for offences U/Ss 120-B,182,506,211 PPC registered at PS Sobhodero District Khairpur under c-class as well as discharged the respondents No.4 to 11 from the case.

2. At the very outset, the learned Deputy Public Prosecutor and the learned Advocate for Respondent No. 4 to 11 have raised an objection regarding the maintainability of this application, arguing that the applicant is

neither a complainant nor an accused; therefore, the present Criminal Miscellaneous Application is not maintainable.

3. The learned counsel for the applicant has admitted that the applicant is neither a complainant nor an accused, but asserts that he is an aggrieved person. Upon inquiry, he has failed to satisfy this Court regarding how the applicant qualifies as an aggrieved person in relation to the impugned order.

4. Upon perusal of the challan submitted at Annexure (c), on page 33, it reveals that ASI Muhammad Chhotal Bhellar, is complainant of this case while Fayaz Hussain, Mazhar Ali, Shah Dost and Hanif are shown accused while witnesses are PC Ali Muhammad Narejo, PC Ali Muhammad Shahani, PC Ayaz Ali Pitafi, PC Imam Dino Larik and I/O SIP Zahoor Ahmed Phull. This indicates that the applicant is neither a complainant nor an accused. Furthermore, he is not identified as a witness; therefore, he cannot be considered an aggrieved person in relation to the impugned order. The counsel for the applicant has failed to adequately satisfy this Court as to how the applicant qualifies as an aggrieved person. Consequently, the instant Criminal Miscellaneous Application is dismissed.

JUDGE

Hizbullah/PA.

2. At the very outset, learned DPG and learned Advocate for respondents No.4 to 11, have raised objection on the maintainability of this application that applicant is neither complainant, nor accused, therefore, present CrI. Misc applications is not maintainable. Learned counsel for applicant admitted that applicant is neither complainant nor accused but he is aggrieved person. On query, he has failed to satisfy this Court as to how he is aggrieved person.

3. From the perusal of challan submitted at annexure (c), at page 33, it reveals that ASI Muhammad Chhotal Bhellar, is complainant of this case while Fayaz Hussain, Mazhar Ali, Shah Dost and Hanif are shown accused while witnesses are PC Ali Muhammad Narejo, PC Ali Muhammad Shahani, PC Ayaz Ali Pitafi, PC Imam Dino Larik and I/O SIP Zahoor Ahmed Phull. It means that applicant is neither complainant, nor accused even he is not witness, therefore, he is not aggrieved person of this case. The counsel for applicant has miserably failed to satisfy this Court as to how he is aggrieved person, therefore, instant Criminal Miscellaneous Application is dismissed

JUDGE

