

# HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

**CP No.S-426 of 2026**

Petitioner: Muhammad Siraj through Mian Taj  
Muhammad Keerio, Advocate.

Respondents No.1to5: Province of Sindh and others through  
Mr.Allah Bahcayo Soomro, Additional  
Advocate General Sindh along ASI Sajjad  
Ali on behalf of SHO PS Pinyari, Hyderabad.

Respondents No.6to13: None present.

Date of hearing: 24.08.2026.

Date of decision: 24.08.2026.

## **ORDER**

**RIAZAT ALI SAHAR, J:** - Through this petition, the petitioner has  
prayed as under:-

- a)** *Declare that the inaction, negligence and mala fide conduct of respondents No.2 to 5, particularly the police of P.S. Pinyari, in not arresting the absconding accused/respondent No.6 to 13, in FIR bearing Crime No.184 of 2025, is illegal, unlawful, arbitrary and violative of Articles 4, 9, 10-A and 25 of the Constitution of the Islamic Republic of Pakistan, 1973.*
- b)** *Direct respondents No.2 and 3 to ensure immediate arrest of the absconding accused/respondent No.6 to 13, in Crime No. 184 of 2025 U/s 302, 147, 148, 149 PPC, registered at Police Station Pinyari, and to produce them before the learned trial Court strictly in accordance with law.*
- c)** *Direct respondents No.1 to 4 to provide immediate and adequate protection to the petitioner, his family members and all prosecution witnesses of the case, including protection against harassment, intimidation, coercion and threats extended by respondent No.6 to 13 and their associates.*
- d)** *Direct the respondents to ensure that respondent No.6 to 13 and other accused persons do not interfere with, influence, threaten or pressurize the prosecution witnesses in any manner whatsoever during the pendency of the criminal proceedings.*
- e)** *Grant any other relief deemed just, proper and equitable in the circumstances of the case.*
- f)** *Award costs of the petition to the petitioner.*

**2.** Pursuant to notices issued by this Court, the SHO, P.S. Pinyari, submitted report stating that raids have been conducted at the residences of the absconding accused, however, their houses were found locked and they had shifted to unknown places. The SHO further stated that efforts for their arrest are continuing.

**3.** Learned counsel for the petitioner contended that the petitioner has lodged FIR bearing Crime No.184/2025 at PS Pinyari for the offence punishable under sections 302, 147, 148, 149 PPC and the absconding accused nominated therein have not so far been arrested and that the petitioner apprehends interference and threats from them.

**4.** Learned Additional Advocate General Sindh contended that the instant petition may be disposed of in terms of the judgment of this Court in *NASRULLAH v. STATION HOUSE OFFICER, POLICE STATION JACOBABAD and 6 others*, reported as PLD 2016 Sindh 238.

**5.** I have heard the learned counsel for the petitioner as well as learned A.A.G. Sindh and have perused the material available on record.

**6.** In *Nasrullah's* case (supra), this Court, while considering the grievance regarding non-arrest of absconding/proclaimed offenders, held that the law provides a proper mechanism for securing the appearance of an accused, including arrest and, where necessary, the process contemplated under sections 87 and 88, Cr.P.C. The Court further emphasized that the Police Rules, 1934, particularly Chapter XXIII, cast duties upon the police to maintain requisite registers, conduct surveillance, trace absconders and proclaimed offenders and take effective steps for their arrest. The object of declaring a person an absconder/proclaimed offender is not merely to keep his name confined to police files, but to secure his appearance before the Court.

**7.** I have further observed that a police officer does not require a direction from this Court to perform his lawful duty of arresting an accused; nevertheless, in matters brought before this Court, the competent senior police officer is required to pay special attention and ensure effective efforts for arrest and for compelling the appearance of absconding accused through all lawful means.

**8.** In the present case, the report of the SHO reflects that raids have been conducted at the residences of respondents No.6 to 13 and

that their houses were found locked, while their whereabouts are stated to be unknown. The report, therefore, indicates that efforts towards their arrest are being made. At the same time, mere submission of a report cannot bring the statutory responsibility of the police to an end. The police are required to continue meaningful and effective efforts in accordance with law including resort to the procedure available under the Criminal Procedure Code and the Police Rules, where attracted. The judgment in *Nasrullah's* case [supra] also emphasizes the use of available technological and other lawful means for tracing absconders.

9. In view of above, without expressing any opinion on the guilt or innocence of respondents No.6 to 13, the instant petition is disposed of with a direction to the competent police authorities, particularly the SHO, P.S. Pinyari to continue and intensify lawful efforts for tracing and arresting the absconding accused/respondents No.6 to 13 in the said crime and to produce them before the learned trial Court strictly in accordance with law. The police shall also avail themselves of the lawful mechanisms available under sections 87 and 88, Cr.P.C. if and when the requisite conditions and proceedings are fulfilled by the competent Court. The police shall further ensure that the petitioner and prosecution witnesses are not subjected to harassment, intimidation, coercion or unlawful pressure by any accused or their associates. Any specific complaint in this regard shall be attended to promptly in accordance with law. The SSP Hyderabad shall pay attention to the matter and supervise the progress made for securing the arrest of the absconding accused. The learned trial Court is directed to take hectic efforts for the arrest of absconding accused in view of the dicta laid down in the *Nasrullah's* case [supra] and proceed in accordance with law.

10. The petition stands **disposed of** in the above terms.

JUDGE