HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

C.P. No.D-2023 of 2026
[Illahi Bux vs. Province of Sindh and others]

Before:
JUSTICE ADNAN-UL-KARIM MEMON
JUSTICE MUHAMMAD JAFFER RAZA

Petitioner:	In person
Respondents No.1to4	Through Mr. Rafique Ahmed Dahri Additional A.G Sindh a/w ASI Aqeel Ahmed Channa
Respondent No.5:	In person
Respondents 6to11:	Through Mr. Faheem A. Ghaloo advocate a/w respondent No.6 Inspector Benazir Jamali
Date of hearing	27.10.2026
Date of Decision	27.10.2026

O R D E R

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ADNAN-UL-KARIM MEMON J. The petitioner alleges that his son, Muhammad Hasnain, was illegally abducted by Respondents No.5 and 6 (police officials) on 24.09.2026 at the instigation of private Respondents 8 to 11, to prevent him from appearing as an injured witness before the trial court in compliance with directions issued in Bail Application No.S-451/2026. He further alleges that his son was subjected to torture, threatened with false implication in criminal cases, and subsequently booked in FIR No.143/2026 under Section 392 PPC. Another FIR was subsequently registered against him, while the concerned Magistrate directed investigation at Police Station B-Section, Dadu. The petitioner claims that the police officials are acting with mala fide intention due to previous litigation and personal disputes with the private respondents. He also challenges the posting of Respondent No.6 as SHO/additional in-charge of Police Station A-Section, Dadu, on the ground that she belongs to the same district. He seeks directions restraining the respondents from registering false cases against his family without the Court's permission and for transferring police officials belonging to District Dadu out of the district. Primarily this issue needs to be addressed by the I.G Police Sindh at his end as this is policy decision under the police Rules.

2. Learned AAG submits that Muhammad Hasnain was not abducted but was arrested on 26.09.2026 in connection with FIR No.143/2026 under Section 392 PPC, registered on the complaint of Altaf Ahmed Panhwar regarding the snatching of a motorcycle and cash. It is further submitted that FIR No.321/2026 under Sections 392 and 337-H(ii) PPC was registered at Police Station A-Section, Dadu,

on the complaint of Qurban Ali Chandio, alleging robbery of a motorcycle and other articles. He maintain that the cases were investigated in accordance with law and that the recovered articles were produced during investigation.

3. Respondent Nos. 6 & 11 contest the petition as not maintainable, mala fide and an abuse of the process of law. They contend that the petitioner concealed the filing and dismissal of Criminal Miscellaneous Application No.2431/2026 under Sections 22-A and 22-B Cr.P.C, concerning the same allegations, which was dismissed by the Sessions Judge on 03.10.2026. They assert that Muhammad Hasnain was arrested on 26.09.2026 in connection with FIR No.143/2026 and was subsequently implicated in FIR No.321/2026 on the complaint of a private complainant, with recovery of the allegedly snatched articles. They deny the allegations of abduction, torture, threats and collusion, maintaining that the alleged injuries cannot, without evidence, be attributed to the answering respondents. They further submit that Respondent No.11 is a private individual against whom no constitutional writ lies, that the allegations involve disputed questions of fact, and that the petitioner has adequate alternate remedies before the competent criminal courts. They also contend that the petitioner has no enforceable right to seek the transfer or removal of police officials and that the requested blanket restraint on registration of FIRs would obstruct lawful investigation. Accordingly, they seek dismissal of the petition with costs.

4. In view of the foregoing facts and submissions, the petitioner has failed to establish, through cogent and independent material, that his son was illegally abducted, tortured or falsely implicated at the instance of the respondents. The record reflects that FIR No.143/2026 and FIR No.321/2026 were registered in connection with allegations of robbery, while the allegations of police high-handedness and private respondents' instigation involve disputed questions of fact requiring investigation and evidence before the competent forum. Moreover, the petitioner's failure to disclose the dismissal of Criminal Miscellaneous Application No.2431/2026 on 03.10.2026, concerning substantially similar allegations, raises a question regarding the bona fides of the instant petition. The petitioner has also failed to demonstrate any enforceable legal right to seek a blanket restraint on registration of FIRs or the transfer of police officials. Consequently, no case for interference under Article 199 of the Constitution of the Islamic Republic of Pakistan, 1973, is made out, and the petition is dismissed, leaving the petitioner at liberty to pursue appropriate remedies before the competent criminal courts in accordance with law.

JUDGE

JUDGE

Karar_Hussain/PS*