ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
Criminal Miscellaneous Application No. 263 of 2022
(Abdul Rehman vs The State)

DATE	ORDER WITH SIGNATURE OF JUDGE(S)

For hearing of case

02.12.2025

Mr. Muhammd Nizar Tanoli, Advocate for the applicant
Mr. Zahoor Shah Addl. Proscetor General.
Mr. Iqbal Hussain, Advocate for Respondents No.2 to 4

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Ali Haider 'Ada' Through this Criminal Miscellaneous Application, the applicant has assailed the order dated 22.10.2021, whereby the learned Magistrate XIII Karachi West disposed of the matter under B-Class instead of C-Class, despite the fact that the investigating agency had recommended disposal under C-Class. The applicant being complainant is aggrieved by the findings of the learned Magistrate, who altered the recommendation and disposed of the matter under B-Class. Learned counsel for the applicant/complainant submits that such an act is not permissible under the law, as each classification carries distinct and specific criteria. He prays that the impugned order be set aside and the matter be disposed of under C-Class.

On the other hand, Learned Addl: P.G and learned counsel for the respondents have raised no objection if the matter is disposed of under C-Class instead of B-Class.

Heard and perused the material available on record.

As per Rule 219 of the Bombay Police Manual, 1959, the classifications are defined as follows:

- A-Class: When there is no evidence to justify sending the accused to a Magistrate for trial, or when there are no clues about the culprits.

- B-Class: When the case is maliciously false.

- C-Class: When the case is neither true nor false, e.g., where a mistake of fact has occurred or the matter is essentially of a civil nature.

In view of the above, the matter squarely falls within C-Class rather than B-Class, as B-Class is attracted only when the investigating agency concludes that the complainant lodged a false FIR. No such finding exists. Accordingly, the impugned order dated

22.10.2021 is set aside. The matter shall stand disposed of under the same class recommended by the Investigating Officer, i.e., C-Class.

For the foregoing reasons, the instant application stands disposed of.

JUDGE