

**IN THE HIGH COURT OF SINDH CIRCUIT COURT AT
MIRPURKHAS**

Criminal Misc. Application No.S-212 of 2026

Applicant : Mst. Hajiani daughter of Abdul Raheem.
Through Mr. Satram Sonani Bheel,
Advocate.

Respondents : S.S.P, Umerkot & 06 others
Through Mr. Neel Parkash, D.P.G

Date of hearing : 23.07.2026
Date of order : 23.07.2026

ORDER.

Khalid Hussain Shahani, J.—Applicant invokes the inherent jurisdiction of this court, calling in question order dated 12.05.2026, whereby the learned Sessions Judge/Ex-Officio Justice of Peace, Umerkot, declined the applicant's request under Sections 22-A and 22-B, Cr.P.C. for registration of an F.I.R.

2. The applicant alleges that police officials in plain clothes unlawfully entered her house without a search warrant or a lady constable, broke open an iron box and almirah, and made away with a gold khara and Rs.50,000/- cash upon being disturbed by neighbours. Learned counsel submits that these grave allegations were dismissed hastily, rendering the impugned order illegal and irregular, and prays for directions to register an F.I.R. and grant protection.

3. Learned D.P.G. opposes the petition, submitting that the applicant and her family are habitual litigants with extensive

criminal antecedents who misuse such applications to harass police officials.

4. The question for determination is whether the impugned order suffers from illegality, irregularity, or jurisdictional error.

5. The jurisdiction under Sections 22-A and 22-B, Cr.P.C. is supervisory, not adjudicatory. It permits examination of whether a cognizable offence is *prima facie* disclosed and whether police have unlawfully failed in their duty, nothing more. It does not authorize resolution of disputed facts or assessment of competing evidence, which properly belongs to a trial court.

6. Here, the allegations rest entirely on unsubstantiated assertions. Despite claiming that neighbours gathered at the scene, the applicant has produced no independent witness statement, nor any material establishing ownership or existence of the articles allegedly taken. Such disputed questions demand evidence and trial, the matters outside the scope of Sections 22-A and 22-B proceedings.

7. The applicant's undisputed history of prior criminal involvement, while not conclusive against her, is a relevant factor counselling caution before directing an F.I.R. on unverified allegations alone. The Ex-Officio Justice of Peace was justified in exercising such caution.

8. The impugned order reflects due consideration of the allegations, police report, and surrounding circumstances. No

misreading, non-reading, jurisdictional defect, or material irregularity has been shown. Mere disagreement with the conclusion below is not a ground for interference under Section 561-A, Cr.P.C.

9. Where allegations involve seriously disputed facts, the proper remedy is a direct complaint under Section 200, Cr.P.C., which provides a forum for evidence and adjudication. Sections 22-A and 22-B cannot substitute for a criminal trial.

10. For these reasons, the impugned order is found to be in accordance with law, free of illegality, irregularity, or jurisdictional defect. The application, being devoid of merit, is dismissed. The applicant remains at liberty to pursue a direct complaint under Section 200, Cr.P.C. before the competent Court.

JUDGE