

**ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD**

Cr. Appeal No.S-53 of 2006

DATE	ORDER WITH SIGNATURE OF JUDGE
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For regular hearing

15.05.2017.

None present for appellant and complainant.

Syed Meeral Shah D.P.G. for the State alongwith SIP Zulfiqar Arain,
S.H.O P.S Khanoth and H.C Muhammad Urs presently performing his duty
in Process Cell Jamshoro.

It appears that on the last date of hearing 11.05.2017 HC Muhammad Urs presently performing his duty in Process Cell Jamshoro had submitted report alongwith roznamcha entry stating therein that the appellant Ghulam Hussain had expired. In order to ascertain the truth and falsehood the S.H.O P.S Khanoth was directed to appear in person alongwith all relevant record showing that the appellant Ghulam Hussain had been expired or otherwise and the matter was adjourned for today. Today, on Court notice SIP Zulfiqar Arain HSO P.S Khanoth is present in person and submits his report alongwith statements of (1) Ali Bux son of Jumo (complainant), (2) Sohabat son of Atar and (3) Kaloo son of Sanwar, which is taken on record, stating therein that on the basis of statement of nekmards of the locality the appellant Ghulam Hussain is alive and he belied the report already submitted by HC Muhammad Urs and further submits that the appellant Ghulam Hussain is wondering in the area, therefore, he prays that non bailable

warrant be issued against the appellant Ghulam Hussain so that he may be arrested. HC Muhammad Urs is present in person and submits that he had submitted his report on the basis of statement of HC Nazir Ahmed Isran serving in Process Cell Jamshoro, therefore, he is not directly responsible for giving wrong information to the Court, therefore, he may be excused this time. He is excused with warning to be careful in future. However, Senior Superintendent of Police, Jamshoro is directed to keep this warning in the personal file of HC Muhammad Urs and submit compliance report to this Court.

In view of statement of S.H.O P.S Khanoth, office is directed to issue non bailable warrant against appellant Ghulam Hussain to be executed by the S.H.O P.S Khanoth. Notice sent to surety is not returned either served or unserved. However, Office is directed to issue notice to surety under Section 514, Cr.P.C to be served through S.H.O P.S Khanoth. Intimation notice also to be issued to the counsel for appellant and complainant.

To come up on 30.05.2017. To be fixed as per roster.

JUDGE