

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Criminal Miscellaneous Application No.105 of 2018

Date	Order with signature of Judge
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For direction

1. For hearing of maintainability of CrI. Misc: Application
(As per order dated 09.05.2018).

11.02.2019

Mr. Abdul Naeem A. Qureshi, advocate for the applicant.
Mr. Muhammad Mehmood, advocate for proposed accused/
Respondent No.1.
Mr. Jahangir Ali Khan, advocate for proposed accused/
Respondent No.2.

NAZAR AKBAR, J. Through this CrI. Misc: Application the applicant has challenged the order dated **05.04.2018** passed by the Sessions Judge/Ex-Officio Justice of Peace, Central Karachi in Criminal Petition No.224/2018, whereby the applicant's request to register FIR in terms of **Section 22-A Cr.P.C** was dismissed.

2. Learned counsel for the applicant has claimed that the applicant has got operated his eye at Hashmani Hospital wherein the proposed accused persons had negligently operated the applicant's eye when blood pressure reading was 179/98 resulting in loss of his vision of one eye.

3. The perusal of record shows that the applicant was operated on **02.01.2018** at Hashmani Hospital and after two months such opinion was given by a Doctor at JPMC, which provoked him to lodge a FIR. Delay of two months renders the offence doubtful. The remedy available to the applicant is to file suit for damages, if there is any negligence on the part of the doctors. No case is made out for interference in the impugned order, therefore, instant Criminal Miscellaneous Application is dismissed.

JUDGE

Ayaz Gul